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1 A bill to be entitled

2 An act relating to government employment; amending s.
3 110.107, F.S.; providing definitions; amending s. 110.116,
4 F.S.; authorizing the Department of Management Services to
5 contract with a vendor to provide the personnel
6 information system; amending s. 110.1245, F.S.; revising
7 language regarding employee recognition; deleting a 5-year
8 employment requirement for certain recognition; amending
9 s. 110.152, F.S.; revising payment schedules for adoption
10 benefits for state employees; amending s. 110.191, F.S.;
11 correcting a cross reference; amending s. 110.2035, F.S.;
12 deleting requirement that the Department of Management
13 Services consult with the Executive Office of the Governor
14 and the Legislature with regard to a compensation and
15 classification program; providing requirements for the
16 program; providing duties and responsibilities to the
17 department with respect to employment actions by other
18 agencies; providing rule adoption authority; providing
19 that employing agencies shall have the responsibility for
20 the day-to-day application of such rules; providing
21 additional authority and responsibilities for employing
22 agencies; requiring the Department of Management Services
23 to establish and maintain an equitable pay plan for use by
24 state agencies; providing authority and responsibilities
25 of the department and employing agencies with respect to
26 such plan; amending s. 110.205, F.S.; conforming language;
27 amending s. 110.213, F.S.; providing that agencies shall
28 ensure that candidates for employment are properly
29 licensed, certified, or registered, when required by law;
30 amending s. 110.227, F.S.; providing for a 1-year



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31 probationary period for Career Service employees; revising
 32 procedures with respect to the employee grievance process;
 33 correcting a cross reference; amending ss. 110.406,
 34 110.603, and 110.606, F.S.; conforming language; amending
 35 s. 215.92, F.S.; redefining the term "functional owner";
 36 amending s. 215.93, F.S.; authorizing the Department of
 37 Management Services to contract with private entities to
 38 design, develop, and implement the department's
 39 information systems and subsystems; amending s. 215.94,
 40 F.S.; providing that the Department of Management Services
 41 is the functional owner of the personnel information
 42 system; amending s. 216.011, F.S.; correcting a cross
 43 reference; repealing s. 110.203, F.S., relating to
 44 definitions; providing an effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 Section 1. Subsections (4) through (31) are added to
 49 section 110.107, Florida Statutes, to read:

50 110.107 Definitions.--As used in this chapter, the term:

51 (4) "State agency" or "agency" means any official,
 52 officer, commission, board, authority, council, committee, or
 53 department of the executive branch or the judicial branch of
 54 state government as defined in chapter 216.

55 (5) "Position" means the work, consisting of duties and
 56 responsibilities, assigned to be performed by an officer or
 57 employee.

58 (6) "Full-time position" means a position authorized for
 59 the entire normally established work period, daily, weekly,
 60 monthly, or annually.



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61 (7) "Part-time position" means a position authorized for
62 less than the entire normally established work period, daily,
63 weekly, monthly, or annually.

64 (8) "Occupation" means all positions which are
65 sufficiently similar in knowledge, skills, and abilities, and
66 sufficiently similar as to kind or subject matter of work.

67 (9) "Occupational group" means a group of occupations
68 which are sufficiently similar in kind of work performed to
69 warrant the use of the same performance factors in determining
70 the level of complexity for all occupations in that occupational
71 group.

72 (10) "Classification plan" means a formal description of
73 the concepts, rules, job family definitions, occupational group
74 characteristics, and occupational profiles used in the
75 classification of positions.

76 (11) "Pay plan" means a formal description of the
77 philosophy, methods, procedures, and salary schedules for
78 competitively compensating employees at market-based rates for
79 work performed.

80 (12) "Salary schedule" means an official document which
81 contains a complete list of occupation titles, broadband level
82 codes, and pay bands.

83 (13) "Authorized position" means a position included in an
84 approved budget. In counting the number of authorized positions,
85 part-time positions may be converted to full-time equivalents.

86 (14) "Established position" means an authorized position
87 which has been classified in accordance with a classification
88 and pay plan as provided by law.

89 (15) "Position number" means the identification number
90 assigned to an established position.



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91 (16) "Reclassification" means changing an established
92 position in one broadband level in an occupational group to a
93 higher or lower broadband level in the same occupational group
94 or to a broadband level in a different occupational group.

95 (17) "Promotion" means changing the classification of an
96 employee to a broadband level having a higher maximum salary; or
97 the changing of the classification of an employee to a broadband
98 level having the same or a lower maximum salary but a higher
99 level of responsibility.

100 (18) "Demotion" means changing the classification of an
101 employee to a broadband level having a lower maximum salary; or
102 the changing of the classification of an employee to a broadband
103 level having the same or a higher maximum salary but a lower
104 level of responsibility.

105 (19) "Transfer" means moving an employee from one
106 geographic location of the state to a different geographic
107 location in excess of 50 miles from the employee's current work
108 location.

109 (20) "Reassignment" means moving an employee from a
110 position in one broadband level to a different position in the
111 same broadband level or to a different broadband level having
112 the same maximum salary.

113 (21) "Dismissal" means a disciplinary action taken by an
114 agency pursuant to s. 110.227 against an employee resulting in
115 termination of his or her employment.

116 (22) "Suspension" means a disciplinary action taken by an
117 agency pursuant to s. 110.227 against an employee to temporarily
118 relieve the employee of his or her duties and place him or her
119 on leave without pay.



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120 (23) "Layoff" means termination of employment due to a
121 shortage of funds or work, or a material change in the duties or
122 organization of an agency, including the outsourcing or
123 privatization of an activity or function previously performed by
124 career service employees.

125 (24) "Employing agency" means any agency authorized to
126 employ personnel to carry out the responsibilities of the agency
127 under the provisions of chapter 20 or other statutory authority.

128 (25) "Shared employment" means part-time career employment
129 whereby the duties and responsibilities of a full-time position
130 in the career service are divided among part-time employees who
131 are eligible for the position and who receive career service
132 benefits and wages pro rata. In no case shall "shared
133 employment" include the employment of persons paid from other-
134 personal-services funds.

135 (26) "Firefighter" means a firefighter certified under
136 chapter 633.

137 (27) "Law enforcement or correctional officer" means a law
138 enforcement officer, special agent, correctional officer,
139 correctional probation officer, or institutional security
140 specialist required to be certified under chapter 943.

141 (28) "Professional health care provider" means registered
142 nurses, physician's assistants, dentists, psychologists,
143 nutritionists or dietitians, pharmacists, psychological
144 specialists, physical therapists, and speech and hearing
145 therapists.

146 (29) "Job family" means a defined grouping of one or more
147 occupational groups.

148 (30) "Pay band" means the minimum salary, the maximum
149 salary, and intermediate rates which are payable for work in a



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150 specific broadband level.

151 (31) "Broadband level" means all positions which are
152 sufficiently similar in knowledge, skills, and abilities, and
153 sufficiently similar as to kind or subject matter of work, level
154 of difficulty or responsibilities, and qualification
155 requirements of the work to warrant the same treatment as to
156 title, pay band, and other personnel transactions.

157 Section 2. Subsection (1) of section 110.116, Florida
158 Statutes, is amended to read:

159 110.116 Personnel information system; payroll
160 procedures.--

161 (1) The Department of Management Services shall establish
162 and maintain, in coordination with the payroll system of the
163 Department of Banking and Finance, a complete personnel
164 information system for all authorized and established positions
165 in the state service, with the exception of employees of the
166 Legislature, unless the Legislature chooses to participate. The
167 department may contract with a vendor to provide the personnel
168 information system. The specifications shall be developed in
169 conjunction with the payroll system of the Department of Banking
170 and Finance and in coordination with the Auditor General. The
171 Department of Banking and Finance shall determine that the
172 position occupied by each employee has been authorized and
173 established in accordance with the provisions of s. 216.251. The
174 Department of Management Services shall develop and maintain a
175 position numbering system that will identify each established
176 position, and such information shall be a part of the payroll
177 system of the Department of Banking and Finance. With the
178 exception of employees of the Legislature, unless the
179 Legislature chooses to participate, this system shall include



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180 all career service positions and those positions exempted from
181 career service provisions, notwithstanding the funding source of
182 the salary payments, and information regarding persons receiving
183 payments from other sources. Necessary revisions shall be made
184 in the personnel and payroll procedures of the state to avoid
185 duplication insofar as is feasible. A list shall be organized by
186 budget entity to show the employees or vacant positions within
187 each budget entity. This list shall be available to the Speaker
188 of the House of Representatives and the President of the Senate
189 upon request.

190 Section 3. Paragraph (d) of subsection (1), paragraph (d)
191 of subsection (2), and subsection (4) of section 110.1245,
192 Florida Statutes, are amended to read:

193 110.1245 Savings sharing program; bonus payments; other
194 awards.--

195 (1)

196 (d) The department and the judicial branch shall submit
197 annually to the President of the Senate and the Speaker of the
198 House of Representatives information that outlines each agency's
199 level of participation in the savings sharing program. The
200 information shall include, but is not limited to:

201 1. The number of proposals made.

202 2. The number of dollars and awards made to employees or
203 groups for adopted proposals.

204 3. The actual cost savings realized as a result of
205 implementing employee or group proposals.

206 ~~4. The number of employees or groups recognized for
207 superior accomplishments.~~

208 (2) In June of each year, bonuses shall be paid to
209 employees from funds authorized by the Legislature in an



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210 appropriation specifically for bonuses. Each agency shall
 211 develop a plan for awarding lump-sum bonuses, which plan shall
 212 be submitted no later than September 15 of each year and
 213 approved by the Office of Policy and Budget in the Executive
 214 Office of the Governor. Such plan shall include, at a minimum,
 215 but is not limited to:

216 (d) A process for peer input that is fair, respectful of
 217 employees, and affects the outcome of the bonus distribution
 218 ~~Peer input to account for at least 40 percent of the bonus award~~
 219 ~~determination.~~

220 (4) Each department head is authorized to incur
 221 expenditures to award suitable framed certificates, pins, or
 222 other tokens of recognition to state employees who demonstrate
 223 ~~have achieved increments of 5 years of~~ satisfactory service in
 224 the agency or to the state, in appreciation and recognition of
 225 such service. Such awards may not cost in excess of \$100 each
 226 plus applicable taxes.

227 Section 4. Paragraph (a) of subsection (1) of section
 228 110.152, Florida Statutes, is amended to read:

229 110.152 Adoption benefits for state employees; parental
 230 leave.--

231 (1)(a)~~1~~. Any full-time or part-time employee of the state
 232 who is paid from regular salary appropriations and who adopts a
 233 special-needs child, as defined in paragraph (b), is eligible to
 234 receive a monetary benefit in the amount of \$10,000 per child,
 235 ~~\$5,000 of~~ which is payable in equal monthly installments over a
 236 1-year ~~2-year~~ period. Any employee of the state who adopts a
 237 child whose permanent custody has been awarded to the Department
 238 of Children and Family Services or to a Florida-licensed child-
 239 placing agency, other than a special-needs child as defined in



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240 paragraph (b), shall be eligible to receive a monetary benefit
241 in the amount of \$5,000 per child, ~~\$2,000 of~~ which is payable in
242 equal monthly installments over a 1-year ~~2-year~~ period. Benefits
243 paid under this subsection to a part-time employee must be
244 prorated based on the employee's full-time-equivalency status at
245 the time of applying for the benefits.

246 ~~2. For the 2002-2003 fiscal year only, the Department of~~
247 ~~Management Services is authorized to make lump-sum payments for~~
248 ~~adoption benefits awarded during fiscal years 2000-2001 and~~
249 ~~2001-2002. This subparagraph expires July 1, 2003.~~

250 Section 5. Subsection (1) of section 110.191, Florida
251 Statutes, is amended to read:

252 110.191 State employee leasing.--

253 (1) In situations where the Legislature has expressly
254 authorized the state, an agency, or the judicial branch as
255 defined in s. 110.107 ~~110.203~~ to lease employees, the Executive
256 Office of the Governor for the executive branch or the Chief
257 Justice for the judicial branch may authorize any of the
258 following actions related to such state employee leasing
259 activities, provided that the direct cost of such actions is to
260 be paid or reimbursed within 30 days after payment by the entity
261 or person to whom the employees are leased:

262 (a) Create a separate budget entity from which leased
263 employees shall be paid and transfer the positions authorized to
264 be leased to that budget entity.

265 (b) Provide increases in the operating budget entity.

266 (c) Authorized lump-sum salary bonuses to leased
267 employees; however, any lump-sum salary bonus above the
268 automatic salary increases which may be contained in the General
269 Appropriations Act must be funded from private sources.



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270 (d) Approve increases in salary rate for positions which
271 are leased; however, any salary rate above the automatic salary
272 increases which may be contained in the General Appropriations
273 Act must be funded from private sources.

274 (e) Waive any requirement for automatic salary increases
275 which may be contained in the General Appropriations Act.

276 Section 6. Section 110.2035, Florida Statutes, is amended
277 to read:

278 110.2035 Classification and compensation program.--

279 (1) The Department of Management Services, ~~in consultation~~
280 ~~with the Executive Office of the Governor and the Legislature,~~
281 shall establish and maintain ~~develop~~ a classification and
282 compensation program addressing. ~~This program shall be developed~~
283 ~~for use by all state agencies and shall address~~ Career Service,
284 Selected Exempt Service, and Senior Management Service positions
285 classes. No action may be taken to fill any position until it
286 has been classified in accordance with the classification plan.

287 (a) The department shall develop occupation profiles
288 necessary for the establishment of new occupations or for the
289 revision of existing occupations and shall adopt the appropriate
290 occupation title and broadband level code for each occupation.
291 Such occupation profiles, titles, and codes shall not constitute
292 rules within the meaning of s. 120.52.

293 (b) The department shall be responsible for conducting
294 periodic studies and surveys to ensure that the classification
295 plan is maintained on a current basis.

296 (c) The department may review in a postaudit capacity the
297 action taken by an employing agency in classifying or
298 reclassifying a position.

299 (d) The department shall effect a classification change on



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300 any classification or reclassification action taken by an
 301 employing agency if the action taken by the agency was not based
 302 on the duties and responsibilities officially assigned the
 303 position as they relate to the concepts and description
 304 contained in the official occupation profile and the level
 305 definition defined in the occupational group characteristics
 306 adopted by the department.

307 (e) In cooperation and consultation with the employing
 308 agencies, the department shall adopt rules necessary to govern
 309 the administration of the classification plan. Such rules shall
 310 be approved by the Administration Commission prior to their
 311 adoption by the department.

312 (2) The program shall consist of the following:

313 (a) A position classification system using no more than 38
 314 ~~50~~ occupational groups and up to a 6-broadband level ~~6-class~~
 315 ~~series~~ structure for each occupation within an occupational
 316 group. Additional occupational groups may be established only by
 317 the Executive Office of the Governor after consultation with the
 318 Legislature.

319 (b) A pay plan that shall provide broad-based pay bands
 320 ~~broad-based salary ranges~~ for each occupational group and shall
 321 consist of no more than 25 pay bands.

322 (3) The following goals shall be considered in ~~designing~~
 323 ~~and~~ implementing and maintaining the program:

324 (a) The classification system must significantly reduce
 325 the need to reclassify positions due to work assignment and
 326 organizational changes by decreasing the number of
 327 classification changes required.

328 (b) The classification system must establish broadband
 329 levels ~~broad-based classes~~ allowing flexibility in



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330 organizational structure and must reduce the number levels of
331 supervisory broadband levels ~~classes~~.

332 (c) The classification ~~system~~ and compensation program ~~pay~~
333 ~~plan~~ must emphasize pay administration and job-performance
334 evaluation by management rather than emphasize use of the
335 classification system to award salary increases.

336 (d) The pay administration system must contain provisions
337 to allow managers the flexibility to move employees through the
338 pay bands ~~ranges~~ and provide for salary increase additives and
339 lump-sum bonuses.

340 (4) The classification system shall be structured such
341 that each confidential, managerial, and supervisory employee
342 shall be included in the Selected Exempt Service, in accordance
343 with part V of this chapter.

344 (5) The employing agency shall be responsible for the day-
345 to-day application of classification rules promulgated by the
346 department ~~The Department of Management Services shall submit~~
347 ~~the proposed design of the classification and compensation~~
348 ~~program to the Executive Office of the Governor, the presiding~~
349 ~~officers of the Legislature, and the appropriate legislative~~
350 ~~fiscal and substantive standing committees on or before December~~
351 ~~1, 2001.~~

352 (a) The employing agency shall maintain on a current basis
353 a position description for each authorized and established
354 position assigned the agency. The position description shall
355 include an accurate description of assigned duties and
356 responsibilities and other pertinent information concerning a
357 position and shall serve as a record of the official assignment
358 of duties to the position. Such description shall be used in the
359 comparison of positions to ensure uniformity of classifications.



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360 (b) The employing agency shall have the authority and
361 responsibility to classify positions authorized by the
362 Legislature or authorized pursuant to s. 216.262; to classify
363 positions that are added in lieu of positions deleted pursuant
364 to s. 216.262; and to reclassify established positions.
365 Classification and reclassification actions taken by an
366 employing agency shall be within the occupations established by
367 the department, shall be funded within the limits of currently
368 authorized appropriations, and shall be in accordance with the
369 uniform procedures adopted by the department.

370 (6) The department shall establish and maintain an
371 equitable pay plan applicable to all occupations and shall be
372 responsible for the overall review, coordination, and
373 administration of the pay plan.

374 (a) The department shall provide for broad, market-based
375 pay bands for occupations and shall establish guidelines for the
376 employing agencies to move employees through these pay bands.
377 The employing agencies may determine the appropriate salary
378 within the pay bands and guidelines adopted by the department.
379 Such pay bands, and the assignment of broadband levels to
380 positions, shall not constitute rules within the meaning of s.
381 120.52.

382 (b) The department shall conduct wage and salary surveys
383 as necessary for the purpose of achieving the goal of an
384 equitable, competitive, market-based pay policy.

385 (c)(6) The department shall establish, by rule, guidelines
386 with respect to, and shall delegate to the employing agencies,
387 where appropriate, the authority to administer the following:

388 1.(a) Shift differentials.

389 2.(b) On-call fees.



- 390 3.~~(e)~~ Hazardous-duty pay.
- 391 ~~(d) Advanced appointment rates.~~
- 392 4.~~(e)~~ Salary increase and decrease corrections.
- 393 5.~~(f)~~ Lead-worker pay.
- 394 6.~~(g)~~ Temporary special duties pay.
- 395 7.~~(h)~~ Trainer-additive pay.
- 396 8.~~(i)~~ Competitive area differentials.
- 397 ~~(j) Coordinator pay.~~
- 398 9.~~(k)~~ Critical market pay.

399

400 The employing agency must use such pay additives as are

401 appropriate within the guidelines established by the department

402 and shall advise the department in writing of the plan for

403 implementing such pay additives prior to the implementation

404 date. Any action by an employing agency to implement temporary

405 special duties pay, competitive area differentials, or critical

406 market pay may be implemented only after the department has

407 reviewed and recommended such action; however, an employing

408 agency may use temporary special duties pay for up to 3 months

409 without prior review by the department. The department shall

410 annually provide a summary report of the pay additives

411 implemented pursuant to this section.

412 Section 7. Paragraph (q) of subsection (2), and

413 subsections (4), (5), and (6) of section 110.205, Florida

414 Statutes, are amended to read:

- 415 110.205 Career service; exemptions.--
- 416 (2) EXEMPT POSITIONS.--The exempt positions that are not
- 417 covered by this part include the following:
- 418 (q) The staff directors, assistant staff directors,
- 419 district program managers, district program coordinators,



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420 district subdistrict administrators, district administrative
421 services directors, district attorneys, and the Deputy Director
422 of Central Operations Services of the Department of Children and
423 Family Services. Unless otherwise fixed by law, the department
424 shall establish the pay band ~~salary range~~ and benefits for these
425 positions in accordance with the rules of the Selected Exempt
426 Service.

427 (4) DEFINITION OF DEPARTMENT.--When used in this section,
428 the term "department" shall mean all departments and commissions
429 of the executive branch, whether created by the State
430 Constitution or chapter 20; the office of the Governor; and the
431 Public Service Commission; however, the term "department" shall
432 mean the Department of Management Services when used in the
433 context of the authority to establish pay bands ~~salary ranges~~
434 and benefits.

435 (5) POSITIONS EXEMPTED BY OTHER STATUTES.--If any position
436 is exempted from the career service by any other statute and the
437 personnel system to which that position is assigned is not
438 specifically included in the statute, the position shall be
439 placed in the Selected Exempt Service, and the department shall
440 establish the pay band ~~salary range~~ and benefits for that
441 position in accordance with the rules of the Selected Exempt
442 Service.

443 (6) EXEMPTION OF CHIEF INSPECTOR OF BOILER SAFETY PROGRAM,
444 DEPARTMENT OF INSURANCE.--In addition to those positions
445 exempted from this part, there is hereby exempted from the
446 Career Service System the chief inspector of the boiler
447 inspection program of the Department of Insurance. The pay band
448 ~~salary range~~ of this position shall be established by the
449 Department of Management Services in accordance with the



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450 classification and pay plan established for the Selected Exempt
 451 Service.

452 Section 8. Section 110.213, Florida Statutes, is amended
 453 to read:

454 110.213 Selection.--

455 (1) Selection for appointment from among the most
 456 qualified candidates shall be the sole responsibility of the
 457 employing agency. ~~Effective July 1, 2001,~~ All new employees must
 458 successfully complete at least a 1-year probationary period
 459 before attainment of permanent status.

460 (2) Selection shall reflect efficiency and simplicity in
 461 hiring procedures. The agency head or his or her designee shall
 462 be required to document the qualifications of the selected
 463 candidate to ensure that the candidate meets the minimum
 464 requirements ~~qualifications~~ as specified by the employing
 465 agency, meets the licensure, certification, or registration
 466 requirements, if any, as specified by statute, and possesses the
 467 requisite knowledge, skills, and abilities for the position. No
 468 other documentation or justification shall be required prior to
 469 selecting a candidate for a position.

470 Section 9. Subsections (1), (2), (4), and (5) of section
 471 110.227, Florida Statutes, are amended to read:

472 110.227 Suspensions, dismissals, reductions in pay,
 473 demotions, layoffs, transfers, and grievances.--

474 (1) Any employee who has satisfactorily completed at least
 475 a 1-year probationary period in his or her current position
 476 ~~permanent status in the career service~~ may be suspended or
 477 dismissed only for cause. Cause shall include, but is not
 478 limited to, poor performance, negligence, inefficiency or
 479 inability to perform assigned duties, insubordination, violation



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480 of the provisions of law or agency rules, conduct unbecoming a
481 public employee, misconduct, habitual drug abuse, or conviction
482 of any crime. The agency head shall ensure that all employees of
483 the agency have reasonable access to the agency's personnel
484 manual.

485 (2) The department shall establish rules and procedures
486 for the suspension, reduction in pay, transfer, layoff,
487 demotion, and dismissal of employees in the career service.
488 Except with regard to law enforcement or correctional officers,
489 firefighters, or professional health care providers, rules
490 regarding layoff procedures shall not include any system whereby
491 a career service employee with greater seniority has the option
492 of selecting a different position not being eliminated, but
493 either vacant or already occupied by an employee of less
494 seniority, and taking that position, commonly referred to as
495 "bumping." For the implementation of layoffs as defined in s.
496 110.107 ~~110.203~~, the department shall develop rules requiring
497 that consideration be given to comparative merit, demonstrated
498 skills, and the employee's experience. Such rules shall be
499 approved by the Administration Commission prior to their
500 adoption by the department.

501 (4) A grievance process shall be available to ~~permanent~~
502 career service employees who have satisfactorily completed at
503 least a 1-year probationary period in their current positions. A
504 grievance is defined as the dissatisfaction that occurs when an
505 employee believes that any condition affecting the employee is
506 unjust, inequitable, or a hindrance to effective operation.
507 Claims of discrimination and sexual harassment or claims related
508 to suspensions, reductions in pay, demotions, and dismissals are
509 not subject to the career service grievance process. The



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510 following procedures shall apply to any grievance filed pursuant
511 to this subsection, except that all timeframes may be extended
512 in writing by mutual agreement:

513 (a) *Step One.*--The employee may submit a signed, written
514 grievance on a form provided by the agency to his or her
515 supervisor within 7 calendar days following the occurrence of
516 the event giving rise to the grievance. The supervisor must meet
517 with the employee to discuss the grievance within and provide a
518 written response to the employee 5 business days following
519 receipt of the grievance.

520 (b) *Step Two.*--If the employee is dissatisfied with the
521 response of his or her supervisor, the employee may submit the
522 written grievance to the agency head or his or her designee
523 within 2 business days following receipt of the supervisor's
524 written response ~~the meeting with his or her supervisor~~. The
525 agency head or his or her designee must meet with the employee
526 to discuss the grievance within 5 business days following
527 receipt of the grievance. The agency head or his or her designee
528 must respond in writing to the employee within 5 business days
529 following the meeting. The written decision of the agency head
530 shall be the final authority for all grievances filed pursuant
531 to this subsection. Such grievances may not be appealed beyond
532 Step Two.

533 (5)(a) A ~~permanent~~ career service employee who has
534 satisfactorily completed at least a 1-year probationary period
535 in his or her current position and who is subject to a
536 suspension, reduction in pay, demotion, or dismissal shall
537 receive written notice of such action at least 10 days prior to
538 the date such action is to be taken. Subsequent to such notice,
539 and prior to the date the action is to be taken, the affected



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540 employee shall be given an opportunity to appear before the
541 agency or official taking the action to answer orally and in
542 writing the charges against him or her. The notice to the
543 employee required by this paragraph may be delivered to the
544 employee personally or may be sent by certified mail with return
545 receipt requested. Such actions shall be appealable to the
546 Public Employees Relations Commission as provided in subsection
547 (6). Written notice of any such appeal shall be filed by the
548 employee with the commission within 14 calendar days after the
549 date on which the notice of suspension, reduction in pay,
550 demotion, or dismissal is received by the employee.

551 (b) In extraordinary situations such as when the retention
552 of a ~~permanent~~ career service employee who has satisfactorily
553 completed at least a 1-year probationary period in his or her
554 current position would result in damage to state property, would
555 be detrimental to the best interest of the state, or would
556 result in injury to the employee, a fellow employee, or some
557 other person, such employee may be suspended or dismissed
558 without 10 days' prior notice, provided that written or oral
559 notice of such action, evidence of the reasons therefor, and an
560 opportunity to rebut the charges are furnished to the employee
561 prior to such dismissal or suspension. Such notice may be
562 delivered to the employee personally or may be sent by certified
563 mail with return receipt requested. Agency compliance with the
564 foregoing procedure requiring notice, evidence, and an
565 opportunity for rebuttal must be substantiated. Any employee who
566 is suspended or dismissed pursuant to the provisions of this
567 paragraph may appeal to the Public Employees Relations
568 Commission as provided in subsection (6). Written notice of any
569 such appeal shall be filed with the commission by the employee



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570 within 14 days after the date on which the notice of suspension,
 571 reduction in pay, demotion, or dismissal is received by the
 572 employee.

573 Section 10. Paragraph (c) of subsection (2) of section
 574 110.406, Florida Statutes, is amended to read:

575 110.406 Senior Management Service; data collection.--

576 (2) The data required by this section shall include:

577 (c) In addition, as needed, the data shall include:

578 1. A pricing analysis based on a market survey of
 579 positions comparable to those included in the Senior Management
 580 Service and recommendations with respect to whether, and to what
 581 extent, revisions to the pay bands ~~salary ranges~~ for the Senior
 582 Management Service classifications should be implemented.

583 2. An analysis of actual salary levels for each
 584 classification within the Senior Management Service, indicating
 585 the mean salary for each classification within the Senior
 586 Management Service and the deviation from such mean with respect
 587 to each agency's salary practice in each classification; a
 588 review of the duties and responsibilities in relation to the
 589 incumbents' salary levels, credentials, skills, knowledge, and
 590 abilities; and an opinion as to whether the salary practices
 591 reflected thereby indicate interagency salary inequities among
 592 positions within the Senior Management Service.

593 Section 11. Subsection (1) of section 110.603, Florida
 594 Statutes, is amended to read:

595 110.603 Pay and benefits.--The department shall adopt:

596 (1) A classification plan and a pay plan consisting of pay
 597 bands ~~salary ranges~~ appropriate to the positions included in the
 598 Selected Exempt Service and which provides for salary increases
 599 based on performance. Such pay bands ~~salary ranges~~ shall be



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600 designed to attract and retain qualified personnel for the
601 Selected Exempt Service.

602 Section 12. Paragraph (c) of subsection (2) of section
603 110.606, Florida Statutes, is amended to read:

604 110.606 Selected Exempt Service; data collection.--

605 (2) The data required by this section shall include:

606 (c) In addition, as needed:

607 1. A pricing analysis based on a market survey of
608 positions comparable to those included in the Selected Exempt
609 Service and recommendations with respect to whether, and to what
610 extent, revisions to the pay bands ~~salary ranges~~ for the
611 Selected Exempt Service classifications should be implemented.

612 2. An analysis of actual salary levels for each
613 classification within the Selected Exempt Service, indicating
614 the mean salary for each classification within the Selected
615 Exempt Service and the deviation from such means with respect to
616 each agency's salary practice in each classification; reviewing
617 the duties and responsibilities in relation to the incumbents'
618 salary levels, credentials, skills, knowledge, and abilities;
619 and discussing whether the salary practices reflected thereby
620 indicate interagency salary inequities among positions within
621 the Selected Exempt Service.

622 Section 13. Subsection (6) of section 215.92, Florida
623 Statutes, is amended to read:

624 215.92 Definitions relating to Florida Financial
625 Management Information System Act.--For the purposes of ss.
626 215.90-215.96:

627 (6) "Functional owner" means the agency, or the ~~that~~ part
628 of the judicial branch, that ~~which~~ has the legal responsibility
629 to ensure that a subsystem is designed, implemented, and



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630 operated in accordance with ~~design, implement, and operate an~~
631 ~~information subsystem as provided by~~ ss. 215.90-215.96.

632 Section 14. Subsections (1) and (2) of section 215.93,
633 Florida Statutes, are amended to read:

634 215.93 Florida Financial Management Information System.--

635 (1) To provide the information necessary to carry out the
636 intent of the Legislature, there shall be a Florida Financial
637 Management Information System. The Florida Financial Management
638 Information System shall be fully implemented and shall be
639 upgraded as necessary to ensure the efficient operation of an
640 integrated financial management information system and to
641 provide necessary information for the effective operation of
642 state government. Upon the recommendation of the coordinating
643 council and approval of the board, the Florida Financial
644 Management Information System may require data from any state
645 agency information system or information subsystem or may
646 request data from any judicial branch information system or
647 information subsystem that the coordinating council and board
648 have determined to have statewide financial management
649 significance. Each functional owner information subsystem within
650 the Florida Financial Management Information System shall be
651 developed in such a fashion as to allow for timely, positive,
652 preplanned, and prescribed data transfers between the Florida
653 Financial Management Information System functional owner
654 information subsystems and from other information systems. The
655 principal unit of the system shall be the functional owner
656 information subsystem, and the system shall include, but shall
657 not be limited to, the following:

658 (a) Planning and Budgeting Subsystem.

659 (b) Florida Accounting Information Resource Subsystem.



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660 (c) Cash Management Subsystem.

661 (d) Purchasing Subsystem.

662 (e) Personnel Information System ~~Cooperative Personnel~~
 663 ~~Employment Subsystem.~~

664 (2) Each information subsystem shall have a functional
 665 owner, who may establish additional functions for the subsystem
 666 unless specifically prohibited by ss. 215.90-215.96. However,
 667 without the express approval of the board upon recommendation of
 668 the coordinating council, no functional owner nor any other
 669 agency shall have the authority to establish or maintain
 670 additional subsystems which duplicate any of the information
 671 subsystems of the Florida Financial Management Information
 672 System. Each functional owner shall solicit input and responses
 673 from agencies utilizing the information subsystem. Each
 674 functional owner may contract with the other functional owners
 675 or private sector entities ~~for assistance~~ in the design,
 676 development, and implementation of their information systems and
 677 subsystems. Each functional owner shall include in its
 678 information subsystem functional specifications the data
 679 requirements and standards of the Florida Financial Management
 680 Information System as approved by the board. Each functional
 681 owner shall establish design teams that shall plan and
 682 coordinate the design and implementation of its subsystem within
 683 the framework established by the board. The design teams shall
 684 assist the design and coordination staff in carrying out the
 685 duties assigned by the board or the coordinating council. The
 686 coordinating council shall review and approve the work plans for
 687 these projects.

688 Section 15. Subsections (5) and (6) of section 215.94,
 689 Florida Statutes, are amended to read:



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690 215.94 Designation, duties, and responsibilities of
 691 functional owners.--

692 (5) The Department of Management Services shall be the
 693 functional owner of the Personnel Information System ~~Cooperative~~
 694 ~~Personnel Employment Subsystem~~. The department shall ensure that
 695 the system is designed, implemented, and operated ~~design,~~
 696 ~~implement, and operate the subsystem~~ in accordance with the
 697 provisions of ss. 110.116 and 215.90-215.96. The department may
 698 contract with a vendor to provide the system and services
 699 required of the Personnel Information System. The subsystem
 700 shall include, but shall not be limited to, functions for:

701 (a) Maintenance of employee and position data, including
 702 funding sources and percentages and salary lapse. The employee
 703 data shall include, but not be limited to, information to meet
 704 the payroll system requirements of the Department of Banking and
 705 Finance and to meet the employee benefit system requirements of
 706 the Department of Management Services.

707 (b) Recruitment and selection ~~examination~~.

708 (c) Time and leave reporting.

709 (d) Collective bargaining.

710 (6)(a) The Auditor General shall be advised by the
 711 functional owner of each information subsystem as to the date
 712 that the development or significant modification of its
 713 functional system specifications is to begin.

714 (b) Upon such notification, the Auditor General shall
 715 participate with each functional owner to the extent necessary
 716 to provide assurance that:

717 1. The accounting information produced by the information
 718 subsystem adheres to generally accepted accounting principles.



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719 2. The information subsystem contains the necessary
720 controls to maintain its integrity, within acceptable limits and
721 at an acceptable cost.

722 3. The information subsystem is auditable.

723 (c) The Auditor General shall specify those additional
724 features, characteristics, controls, and internal control
725 measures deemed necessary to carry out the provisions of this
726 subsection. Further, it shall be the responsibility of each
727 functional owner to ensure installation and incorporation of
728 ~~install and incorporate~~ such specified features,
729 characteristics, controls, and internal control measures within
730 each information subsystem.

731 Section 16. Subsection (2) of section 216.011, Florida
732 Statutes, is amended to read:

733 216.011 Definitions.--

734 (2) For purposes of this chapter, terms related to
735 personnel affairs of the state shall be defined as set forth in
736 s. 110.107 ~~110.203~~.

737 Section 17. Section 110.203, Florida Statutes, is
738 repealed.

739 Section 18. This act shall take effect July 1, 2003.