



**CIVIL SERVICE COMMISSION
MEETING AGENDA
Tuesday, August 08, 2023 at 2:00 PM
Commission Chambers - 300 Municipal Drive**

Meetings will be televised on Spectrum Channel 640 and YouTube Streamed on the City's Website.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

Public participation is encouraged. If you are addressing the Civil Service Commission, step to the podium and state your name and address for the record. Please limit your comments to three (3) minutes and do not include any topic that is on the agenda. Public comment on agenda items will be allowed when they come up.

- 4. HR REPORT**

- [A.](#) HR Report

- 5. APPROVAL OF MINUTES**

- [A.](#) July 11, 2023, Civil Service Commission Meeting Minutes

- 6. NEW BUSINESS**

- [A.](#) Pay Plan for all Classified City Positions (City Charter, Section 5.7, C, 2)

- [B.](#) Classification of all Classified City Positions, based upon the Duties, Authority, and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances (City Charter, Sec. 5.7, C, 1)

- [C.](#) Methods for determining Merits and Fitness of Candidates for Appointment or Promotions (City Charter, Section 5.7, C, 3)

D. Hours of Work, Attendance Regulation and Provisions for Sick and Vacation Leave (City Charter, Section 5.7, C, 5)

E. HR Director Position

F. Employee Satisfaction Surveys

G. Implementation Process for making sure that all Rules, Regulations and Procedures of the Employee Personnel Policy are working and is followed by everyone (City Charter, 5.7, C, 8)

7. OLD BUSINESS

A. Ordinance 2023-06, Amendment to Civil Service Commission Rules

B. Ordinance 2023-07, Whistleblower Ordinance

C. "Draft" Madeira Beach Personnel Policy 2020

8. NEXT MEETING - To be scheduled

9. ADJOURNMENT

One or more Elected or Appointed Officials may be in attendance.

Any person who decides to appeal any decision of the Civil Service Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes 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 to be based. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. Per the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call Clara Vanblargan, City Clerk, at 727-391-9951, ext. 231 or 232, or email written request to cvanblargan@madeirabeachfl.gov.



MEMORANDUM

MEMORANDUM

TO: Civil Service Commission
FROM: Megan Powers, Assistant to the City Manager
DATE: July 24, 2023
RE: HR Report

Update:

- Open Positions:
 - Public Works Technician (*Stormwater*)
 - Ground Maintenance Public Works
 - § Applicant in hiring process
 - Fire Fighter/ Paramedic
 - § Opening application process 7/31/23
 - § 3 seats available
- Onboarding with Paycom to streamline process and have all paperwork online



MINUTES
CIVIL SERVICE COMMISSION
MEETING
JULY 11, 2023
2:00 p.m.

The City of Madeira Beach Civil Service Commission meeting was scheduled for 2:00 p.m. on July 11, 2023, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Gene Embler, Chair
Paul Tilka
Jerry Cantrell
Clara VanBlargan, Ex-Officio Secretary

MEMBERS ABSENT: Judithanne McLauchlan
Cristina Ponte, Vice Chair

CITY STAFF PRESENT: Robin Gomez, City Manager
Attorney Rob Eschenfelder, Trask Daigneault, L.L.P. (via Zoom)
Megan Powers, Assistant to City Manager & HR Staff

1. CALL TO ORDER

Vice Chair Cristina Ponte called the meeting to order at 2:02 p.m.

2. ROLL CALL

City Clerk Clara VanBlargan called the roll. Judithanne McLauchlan was absent.

3. PUBLIC COMMENT

There were no public comments.

4. APPROVAL OF MINUTES

A. Approval of Meeting Minutes: 2023-05-30, Civil Service Commission

Paul Tilka motioned to approve the minutes.

Jerry Cantrell said on Page 11 of the packet, in the May 30, 2023 meeting minutes, it states, "Mr. Cantrell said there are a few differentiations between the exempt and non-exempt employees, which are classified and non-classified, and those differences are spelled out in the document. He believes they belong there." He did not believe the statement, "He believes they belong there" is

incorrect because the Charter states differently than what is in the policy. The policy further differentiates based on what the Charter states. The City Clerk said they would listen to that on the tape.

Jerry Cantrell motioned to approve the meeting minutes for May 30, 2023 with that change. Paul Tilka seconded the motion.

ROLL CALL:

Jerry Cantrell	"YES"
Paul Tilka	"YES"
Chair Emblar	"YES"

The motion carried 3-0.

Chair Emblar reminded the City Clerk to provide the meeting minutes at least two weeks before the meeting.

Jerry Cantrell said in the May 30, 2023 meeting minutes, Page 6 of the packet, stated "Jerry Cantrell asked for a document showing their current job titles and if they passed the test for exempt status. The City Manager said they do similar tasks. From his perspective, they had misclassified the positions. He would provide the information showing the reason for the change."

Mr. Cantrell said he had not been provided the document and asked the City Clerk if the City Manager had provided that to her. The City Clerk said no. Mr. Cantrell requested that it be added to the minutes they need the document.

Jerry Cantrell said in the May 30, 2023 meeting minutes, Page 7 of the packet, they had talked about comp time, and the City Manager had said it was not currently being performed routinely or consistently among different departments or areas. He would like to know where they are with that because, under the current terms of the personnel policy created in 2019, it says that employees are paid out their comp time at a specific time of the year. He asked if that happened over the last two years.

The City Clerk said that the employees are paid time and a half in her office. The employee usually chooses comp time and takes it in the same pay period. The remaining comp time was paid out in their last check in December.

5. HR REPORT

Megan Powers reported that she had been tasked to review the handbook for grammatical errors, spacing, and formatting. It looked like the document originated with an older version of Word, making it difficult to copy and paste, so they must redo the handbook. She is also updating the job descriptions—some dates to 2015.

The City Clerk said a former city manager asked the department directors to update their department job description. They must be somewhere. She will provide the updated job descriptions for the City Clerk's Office.

6. OLD BUSINESS

A. "Draft" Personnel Policy – Discussion by Jerry Cantrell, Civil Service Commission Member

Chair Emblar said she had a very productive meeting with Robin and Megan on Friday afternoon. They discussed the difficulty of following the document from the last meeting. She had a problem looking at it for substance due to the various changes made to the document over time. There were grammar and clerical issues. She left it to the City on how to correct it. Since there are so many changes to be made, she will wait to see what Mr. Cantrell has to say to decide if it makes sense to delay it until the next meeting so they can have a clean document to go through.

The City Manager said they also needed to add Mr. Cantrell's documents since they just received them this morning or yesterday. They will add them for the next meeting. Chair Emblar said in the past, they discussed the changes that members submitted and then decided to add them or not as a group. The City Manager said he could bring back a final draft with the grammatical corrections and changes proposed by Mr. Cantrell that the Board approves today.

The City Clerk said at the last meeting they agreed for Mr. Cantrell to provide his notes. Someone had asked if they could get a copy, and Attorney Eschenfelder said he would first like to go through them. She understood that the notes had been submitted to the attorney, but he did not respond. The City Manager asked when the attorney received the documents. Mr. Cantrell said he had the emails to show the specific dates. He sent them four or five times and consistently asked for a follow-up, but no response was received each time. He needed the comments back because they make a difference. The Mayor was copied on the emails, but not sure if he had copied the City Manager. The City Manager said the direction was to submit the comments to the attorney no later than two weeks. Mr. Cantrell said they were sent to the attorney immediately because he asked to look at them first.

Chair Emblar asked Attorney Eschenfelder if he had received the information. The attorney responded he had a conversation with the Mayor and a follow-up conversation with Mr. Trask after their last meeting. The consensus was that they work through the Civil Service Commission in the Sunshine. Extensive requests from any member outside the meeting could cause excessive billing on something the Commission may or may not agree to. He was to wait until the full Civil Service Commission meeting. Mr. Cantrell asked Attorney Eschenfelder when that had been decided. The attorney said probably days after the last Commission meeting. Mr. Cantrell asked why he did not get a response telling him that. There were things he could have done to get his notes out quicker. Attorney Eschenfelder said he should have conveyed that and apologized for not doing so.

Chair Emblar said she had substance issues that had not been submitted. Jerry will go through his substance issues. The document will not be changed until they hear everyone's substance issues

because they may agree or disagree. They will not go through the draft until they hear back from Megan when all the grammar changes can be implemented, and a clean copy sent to them. The City Manager said a corrected document could be sent to them by July 18.

Chair Embler said they could review the updated document at their August 8, 2023 meeting. She asked that they submit their suggestions to the City Clerk in Word to go through them efficiently. The City Manager asked that he and Megan be copied on them so they can bring back a clean version. Chair Embler said no, to only bring back a document with the grammar changes and not their feedback on substance. The substance will be discussed in the Sunshine at the meeting.

Mr. Cantrell suggested that they only send the documents to the ex officio to ensure they are in concert with each other and then ask for input from the five members. He did not want to exclude anyone, especially the City Manager, or they would not be doing their job. It is the responsibility of the Civil Service Commission to develop the personnel policy. They include in the document what they decide before including the City Manager. As they go through the implementation process, they evaluate every level to ensure the steps they asked happened. If the City Manager is included upfront, they might miss something. When the City Manager concurs with the document they prepared, it gets forwarded to the Board of Commissioners for consideration and approval, with or without changes. If they cannot reach common ground, the Board of Commissioners will be the ultimate decision maker.

Chair Embler said they had been doing what Mr. Cantrell suggested. Before each meeting, they decided on sections to review at the meeting. They asked everyone to provide their notes beforehand to allow time for everyone to think about them to have a productive meeting. They discuss them in the presence of everyone, including the City Manager and HR, and get input from the attorney and staff to avoid any problems.

Attorney Eschenfelder said the current document has unnecessary historical references to ordinances and resolutions that need removing. That can be deleted while Megan goes through it.

Chair Embler said she looked at Jerry's presentation before the meeting and looked forward to hearing the words behind it.

Mr. Cantrell presented his PowerPoint Presentation prepared for the meeting:

POWERPOINT PRESENTATION – REVIEW OF PAST MEETINGS

Introduction

Mr. Cantrell said at the May 30, 2023 Civil Service Commission meeting, he was asked to review past meetings and to give a synopsis of what documentation the Civil Service Commission reviewed and what happened. He read through the current personnel policy adopted in 2019. It had been revised from the original policy approved in 2014. There was a lot that did not make sense in the current policy. He researched a lot of information to learn what happened. He went through meeting notes dating back to 2018. He read through meeting notes from the Civil Service Commission, joint Civil Service Commission meetings, budget review meetings, BOC regular

meetings, and BOC workshop meetings. He did not see where there were any Civil Service Commission meetings in 2016 and 2017. He would like to request information to research further back.

Article V, Section 5.7, Personnel Systems; Civil Service Commission

(B), Civil Service Commission; Membership

There shall be a Civil Service Commission of the City of Madeira Beach, Florida, which Commission shall be composed of five citizens of said City. The Civil Service Commission shall be appointed by the Board of Commissioners of the City of Madeira Beach, Florida. ...

Mr. Cantrell said that section establishes who they are. They must be residents, and they are the Civil Service Commission. Their rules they make separately.

Article V, Section 5.7 (C), Personnel Rules

The Civil Service Commission shall prepare personnel rules. When concurred by the City Manager, the rules shall be proposed to the Board of Commissioners, and the Board of Commissioners may by Ordinance adopt them with or without amendment. These rules shall include, but are not limited to:

Mr. Cantrell said concur means the City Manager must agree. If the City Manager does not concur with what the Civil Service Commission would like in the personnel document, they can call a joint meeting with the Board of Commissioners. The Board of Commissioners will be the sole judge of the document.

Mr. Cantrell left the room at 2:33 p.m. to answer a very important phone call that Chair Embler said he informed her of before the meeting.

The City Manager said it would be very difficult to not concur with the entire document. He is fine with how the Civil Service Commission would like to do it. He will still be at all the meetings.

Mr. Cantrell returned to the meeting at 2:34 p.m.

Attorney Eschenfelder said the Civil Service Commission could only call a meeting with the Board of Commissioners through a majority vote of the Civil Service Commission. However, the Board of Commissioners are not compelled to meet with them. The Civil Service Commission is compelled to prepare personnel rules. After being concurred by the City Manager, they are proposed to the Board of Commissioners to consider and adopt with or without changes.

Mr. Cantrell said, for the record, that when he says the word city manager during the rest of his presentation, he is not referring to the current city manager, Mr. Gomez. There were two city managers before Mr. Gomez referenced in the information. He did not want anyone to feel that he

or any other Civil Service Commission member had made derogatory or negative statements about the current city manager.

- 1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;**

Mr. Cantrell said the Civil Service Commission is required to classify based on duties, authority, and responsibility. It is not a pay scale classification. It does not differentiate if a person is salaried or not salaried. His understanding is that classified employees are every employee that works for the City. They cannot deal with the four charter officers because they fall directly under the Board of Commissioners. That is their responsibility under the Charter, and they have no reflection on any decisions made by them. However, they reflect on whether those jobs are being performed adequately and fairly for all employees.

- 2. A pay plan for all classified City positions;**

Mr. Cantrell said classified does not differentiate between hourly and salaried employees. They are inclusive in the context.

- 3. Methods for determining the merits and fitness of candidates for appointment or promotions;**

Mr. Cantrell said the rule is covered under the current policy. There are things he would like to add because there are certain things that need to be more specific.

- 4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;**

- 5. The hours of work, attendance regulation and provisions for sick and vacation leave;**

Mr. Cantrell said he would like clarification from Mr. Eschenfelder on what hours of work mean. If they should set the hours, they may not work for every department. That should be left to the city manager and department directors to decide.

Attorney Eschenfelder explained that hours of work typically meant when city hall was open. For example, 8:00 a.m. to 5:00 p.m. or 7:30 a.m. to 4:00 p.m. There would be a qualifier provision to say, "unless otherwise provided for by the job description and the schedule established by the manager."

Mr. Cantrell asked the City Clerk to add hours of work to the agenda for the next meeting because they do not have a general statement in there saying what the normal hours would be for the City in general, with the exceptions allowing departments to make those rules outside what they need to be. It must be flexible. However, there should be set hours for when City offices are open outside of national or City emergencies or holidays.

The City Clerk said the hours are currently 8:00 a.m. to 4:30 p.m., and some employees are trying out the four-day, ten-hour work week. One employee in her office is doing that. Mr. Cantrell said that should be included in the personnel policy. It is okay for people to do that, but it must state the regular hours.

Chair Emblar asked for the attorney's recommendation.

Attorney Eschenfelder read the following recommendation he made in the version of the personnel policy he submitted back some years ago:

Article IV. Pay, Hours of Work and Workweek, A, General Policies

1. Due to the variety of services provided by City departments, certain employees may be required to work varying days and hours. Department directors schedule work that is necessary and beneficial for the efficient operation of the City. It is the responsibility of the department director to manage overtime within budgetary constraints. Pursuant to 29 C.F.R. § 553.23, by accepting employment with the City, all overtime-eligible employees agree that the City may elect to provide compensatory time in lieu of payment of overtime work in cash pursuant to its compensatory time policies. Employees may also be required, at the discretion of the City, to use compensatory time in lieu of vacation pay when requesting vacation time off.

Mr. Cantrell asked Attorney Eschenfelder if that was from his 2020 document that was decided not to be used. Attorney Eschenfelder said yes.

Chair Emblar told Mr. Cantrell that he put it in his notes to be relooked at and reincluded. They will discuss it at the next meeting and decide whether it will go.

- 6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;**

Mr. Cantrell said "grievance procedures" is the exact wording stated in the Charter. They need a grievance procedure. It cannot be an appeal, only a grievance procedure. There have been two grievance hearings since 2018. He could only find notes on one.

Chair Emblar received confirmation from Mr. Cantrell that they had changed the word "grievance" to "appeal" in the updated personnel policy document they have been using. She asked Mr. Cantrell to add it to his notes for them to change it back.

Mr. Cantrell said he put it in his notes to go over. He said Mr. Lilly had said grievance had something to do with organized labor, and appeal was different, which is an inaccurate description. The policy must state grievance. It is the minimum. Chair Emblar thanked Mr. Cantrell for catching that.

7. Other practices and procedures necessary to the administration of the City personnel system;

Mr. Cantrell said this section meant that if something is not covered in the rules they need, they could add them. They must be careful not to step outside the Charter when doing that to avoid violating the law. It does give them some leeway. If they notice something not being accomplished, they could re-address it. It also does not prohibit them from asking for a change to the Charter if one is needed.

8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.

Mr. Cantrell said they discussed this rule in the last meeting and will discuss it in today's meeting.

ITEMS OF NOTES

Mr. Cantrell said as he goes through his notes, he will explain where they are now. The original policy was adopted in 2014. The policy they are working on was adopted in 2019 by Ordinance 2019-13.

1. The FY 2018 budget had a finance director allocation and an HR person allocation. He will not mention much more about that.
2. In August 2018, the Civil Service Commission and the Charter Review Committee had a joint meeting. The Charter Review Committee has since disbanded. Both committees agreed that the Civil Service Commission needed more power to make decisions, especially regarding grievances and appeals. That happened because there was an employee grievance hearing in March of that year. The Civil Service Commission went through the grievance hearing process and had a court reporter present, documenting every word spoken at the meeting. There were three lawyers inside that meeting: one for the Civil Service Commission, one for the City, and a separate Civil Service attorney from the City Attorney. They understood that arbitration steps needed to be put in place so that all employees would have due process in the event an employee was terminated.

In September of that year, the Civil Service Commission had a grievance hearing regarding the grievance and termination of Miranda Patten. The grievance hearing went through January 2019. The labor attorney had explained it was the city manager's final decision to cut out the possibility of a phase two hearing and to terminate any further discussions about the Civil Service Commission's findings. The city manager at that time, Jonathan Evans, sat on the document and did not take it to the Board of Commissioners. From that point, the Board of Commissioners said they needed to do a few things differently and wanted the Civil Service Commission to have more teeth.

3. In July 2019, the Board of Commissioners had a joint meeting with the Budget Review Committee and the Civil Service Commission. They discussed the proposed personnel

policy that was being updated from the one adopted in 2014. In the meeting, Commissioner Andrews noticed that Article X, Disciplinary Action, had been removed from the policy. The then city manager, Jonathan Evans, removed that section from the policy without notifying the Civil Service Commission. They asked that the document be returned to the Civil Service Commission for corrections. The document was corrected with Article X added back in. The Board of Commissioners adopted it in August 2019.

4. In June 2020, they were trying to fill a vacancy for the city treasurer and advertising for the position. The city manager at that time was Robert Daniels. The Commissioners interviewed Andrew Laflin individually to determine if he would be a finance consultant.
5. In August 2020, the Civil Service Commission had a joint meeting with the Board of Commissioners. It was mentioned about the former city manager removing Article X, Disciplinary Action, from the 2019 proposed personnel policy without the knowledge of the Civil Service Commission. The Board of Commissioners would not adopt it until Article X was put back in the policy. The labor attorney, Rob Eschenfelder, offered to create a better version for the Civil Service Commission to consider. Commissioner Price would work as a liaison with the labor attorney to create a workable document. The document was to include a section on whistleblowing. Each member was asked to forward their changes to the City Clerk.
6. In August 2020, the first draft of Attorney Eschenfelder's new personnel policy and associated ordinances were transmitted to the Board of Commissioners. It was suggested that the following actions occur:
 1. Provide the document to the Civil Service Commission in advance of their next meeting.
 2. Schedule a meeting with the Civil Service Commission to review, get feedback, and provide recommendations.
 3. Provide a courtesy copy of the personnel policy to the union president.
 4. After the Civil Service Commission provided its recommendations, the final version would be presented to the Board of Commissioners with input from Commissioner Price.
7. In August 2021, the personnel manual was rewritten and recommended changes for adoption. It was a comprehensive review of the documentation provided by labor attorney Eschenfelder. The document was reviewed, and it was approximately 60% completed.
8. In March 2021, at the Civil Service Commission meeting, HR Director Lilly stated HR needed flexibility and not be locked in with the labor attorney's version of the personnel policy. All participants in the meeting were informed that the Board of Commissioners instructed the Civil Service Commission to set aside the old personnel policy, the 2019 version they were currently working with, and to use the labor attorney's version as a framework. The labor attorney advised against using the original personnel policy because it potentially opens the City to litigation. Flexibility is an issue because, with flexibility, there is no set of rules. It is differentiated for what is provided for one person and another,

The attorney had stated, now that management's recommendation was to go with an entirely different document, he could no longer talk about the one he produced. The city manager sitting inside the meeting, telling them they would not be using the attorney's version of the document but using the 2019 version instead because they wanted flexibility, prohibiting Eschenfelder at that point from representing the City administration and discussing his document, a better version of a personnel policy that the Board requested of Commissioners.

9. By January 2022, it had been ten months since the Civil Service Commission had a meeting. There was a resignation of a Commissioner, a Commissioner termed out, and a new Commissioner. There were not three members to hold a quorum, and the city manager at the time wanted to delay the meetings so the new city manager, Robin Gomez, could be present. It was stated in the January 2022 meeting that per the city charter, the city manager must agree with all recommended changes to the document before it goes to the Board of Commissioners for adoption. The HR director must also be involved in the process.
10. There are five members of the Civil Service Commission, and all five members must agree on what to put in the personnel policy. When they agree, it is then suitable to ask for advice from the city manager. They do not want to be so inflexible that it makes the City Manager's job impossible. Per the Charter, the Civil Service Commission must prepare personnel rules, and when concurred by the city manager, the rules shall be proposed to the Board of Commissioners. It does not say the city manager takes them to the Board of Commissioners. They are allowed to request a joint meeting with the Board of Commissioners. They ask for acceptance if they have a consensus or ask for direction if there is no consensus.
11. The meetings in April 2022, June 2022, August 2022, and November 2022 were meetings where they discussed the policy forced to use the 2019 version. In every meeting except for the first one, when they had received the documents, people consistently requested they use the attorney's document. That has not changed. The attorney's document is comprehensive, not inflexible, and provides more safety for the City in consistency in how it deals with employees.
12. At the April 2022 Civil Service Commission meeting, Commissioner Ponte discussed using the more inclusive, detailed version of the personnel policy. Commissioner Tilka thought that the Board of Commissioners had made changes to simplify the more complex personnel policy. He wanted to follow the version the Board of Commissioners voted on, the attorney's version. Commissioner Embler requested to follow the labor attorney's document during that meeting. Commissioner McLaughlin wanted to use the more appropriate Plan for the City, working with the original draft and taking some things from the labor attorney's draft. The labor attorney had clarified that the original Plan was for him to produce a draft because the original handbook was confusing, outdated, and unorganized, which is the 2019 version they are currently using. The administration wanted to stay with the original draft, which is the document they must proceed with. The administration was the city manager at the time. He would provide input on any changes

as appropriate in each section. In the April 2022 meeting, Articles I, II, and III were reviewed. Hard copies of the attorney's documents were requested.

13. At the June 2022 Civil Service Commission meeting, Commissioners did not receive the documents requested from HR. Two Commissioners submitted comments. The Commission agreed to work on Articles IV and V at the next meeting. They consistently addressed using the labor attorney's version of the policy in the meeting. Attorney Eschenfelder had stated that if the code did not provide what the Commission needed, they could discuss it in a meeting and send a code amendment recommendation to the Board of Commissioners. They are allowed to ask the Board of Commissioners for advice and recommendations.
14. At the July 2022, Board of Commissioners Regular Meeting, they discussed the Civil Service Commission bylaws. He could not tell at that point if they knew what was happening in the Civil Service Commission meetings or if anybody was going to the Board of Commissioners and providing feedback. Although it didn't look like it, that does not mean it did not happen. Vice Mayor Andrews acknowledged problems with the grievance procedures and the mistakes not corrected. The Civil Service Commission conducts grievance hearings and makes a recommendation to the city manager, a charter officer. One grievance case was found in favor of the employee and against the city manager. The city manager ignored the recommendation, and the Board of Commissioners did not act upon it. It appeared the Board of Commissioners never received that input. The minimum per city charter is that they give it to the employee and the city manager. The Civil Service Commission needed more teeth to do their job, so it did not happen again. A city manager should not decide their own fate. Suppose an employee file a complaint against a charter officer, and the Civil Service Commission finds favor of the employee. In that case, the complaint and recommendation should be given to the Board of Commissioners, not the city manager. He would disagree with not giving it also to the city manager because that is a charter requirement; they give it to the employee and the city manager. The Board of Commissioners has consistently stated inside the meetings they wanted a copy for any charter officer with a complaint lodged against them. So, in their rules, they can write to say they have that extra step. At a minimum, they must give it to the employee and the city manager. For that to be altered, for them not to give it to the city manager would have to be changed by a vote of the citizens. They can write their own rule to give a copy to the Board of Commissioners if it involves a charter officer. The procedures currently in place allow that. Mayor Hendricks agreed with Vice Mayor Andrews and supported a charter amendment change that would give the Civil Service Commission more teeth. He was involved in the Civil Service hearing when that happened in 2018. He was very disappointed in how it was handled and how the employee was handled. The Civil Service Commission is an impartial group, and if a complaint is filed against the City and there is a grievance hearing, they need the ability to fight back when told their decision was meaningless. Mayor Hendricks had said if a complaint against an employee resulted in a complaint against a charter officer, the complaint against the charter officer should go before the Board of Commissioners and not to the charter officer that filed the charges. The only exception is if charges are filed against the city manager; a copy of the findings must

be provided to the city manager as required in the city charter. So, they can add to their rules, allowing it to go to the Board of Commissioners.

15. In August 2022, the Civil Service Commission was informed they could make their own rules. They can convey their concerns to the city manager or the Board of Commissioners. He believed it was Attorney Eschenfelder that made that statement. Articles V and VI were discussed in the meeting, and Articles VII, VIII, and IX were to be reviewed for the September 12 meeting. In the meeting, Chair Emblar asked for clarification on the whistleblower ordinance, Ordinance 2023-07, referenced on page 141 of the labor attorney's document. HR Lilly stated that the law overrides anything they do with the personnel policy; in some respects, that is correct. If the law says they are not doing something right, it will overrule it. He believes that when they pass the ordinance, it provides for severability in any section of the ordinance that does not comply with the law. Attorney Eschenfelder said if a subordinate governing board adopts something that is inconsistent with state law, the court can sever the part inconsistent, and the rest of the ordinance will be saved.
16. In the October 2022 Civil Service Commission meeting Article VI was discussed and it was consistently addressed using the labor attorney's version of the personnel policy.
17. At the November 2022 Civil Service Commission Meeting, the labor attorney requested an amendment to the City's code to address when an employment complaint is brought directly against the city manager. Under the current policy, complaints are brought to the city manager. There was an instance in the past where a complaint was brought against a former manager that did not fit in with the process that was in place at the time. He recommended the following:
 1. A whistleblower process by ordinance.
 2. Improvements that could be made in terms of specifying the role and the responsibility of the Civil Service Commission.

Mayor Hendricks reviewed that ordinance and was happy with it. Commissioner Kerr asked if the Civil Service Commission had an opportunity to review it. The City Manager stated it would go before the Civil Service Commission on November 30. The consensus was to move forward with it to the Civil Service Commission and return it to the Board of Commissioners by January.

18. At the February 2023 Civil Service Commission meeting, Articles X, XI, and XII were discussed. Those are disciplinary, harassment, and miscellaneous provisions. Director Lilly said supervisors only had the authority to give verbal warnings. If it went to a higher level, the department director gets involved. If the written warning was justified, then the written warning would be discussed by human resources and the city manager. Vice Chair Ponte asked if the supervisors could write an email about the infraction. Mr. Lilly said yes, a written warning is an official warning letter placed in the employee's personnel file. Ms. Ponte asked staff to consider adding the language from the attorney's version. Director Lilly said they changed Grievance to Appeals because grievance is a collective bargaining

and the City does not have a collective bargaining contract, which is incorrect. The fire department is a collective bargaining. It has different stipulations that supersede and extend beyond what is provided in the personnel policy. If correct, it still falls under the personnel policy. Changing the name to appeals contradicts the City Charter in its wording because the City Charter states explicitly grievance and not appeals. They must have a grievance policy and not an appeals policy.

19. How did we get where we are? They consistently stated they needed to follow the labor attorney's version. It was 60% completed until Mr. Daniels and Mr. Lilly stopped them from using it. They said that staff did not want to use the attorney's version and would rather use the older version. It is not comprehensive, not inclusive. It gives too much flexibility that it can differentiate treatment from one employee to another and one instance to another. That sets the City up for liability, and that is problematic.

ITEMS OF NOTE

The Board of Commissioners decided they wanted to use Attorney Eschenfelder's version of the employee policy. Will the City Administration agree to moving forward with that version?

Ms. Powers said she would have to refer that to the City Manager. The City Manager said he was fine with whatever version they wanted to use. He continued using what they were using when he arrived. He is fine with whatever version they decide to use.

Mr. Cantrell recommended they go back to the attorney's version and stop using the one they are reviewing because it is not comprehensive. They need to return to Attorney Eschenfelder's document he submitted in 2020. They were 60% of the process of being validated and used that document. It will put the City in better standing; it protects the City and all employees. Some words must be changed in it, but it is less work than what they are currently doing. He asked if he needed to make a motion to do that.

Chair Emblar said she would like to pause before doing that. She thanked Mr. Cantrell and said his presentation was well thought out and well done. It laid out how many hands touched the document along the way. Everything brought up accurately reflected discussions they had, including the 2018 situation. The attorney is the one to let them know which version to use. She would like to hear his side on how it went.

Attorney Eschenfelder explained why he thought his version was not being used. It is a better version; it is better organized and contains a lot of best practices needed. It could be customizable to Madeira Beach. The only feedback from Mr. Daniels and Mr. Lilly was that his version was too long. He was open to the concerns; all he ever got was that it was too long. It is better to have provisions in a personnel policy even if they are rarely used, but they are there when needed. On March 29, 2022, Chair Emblar asked that he compile a history for him because he wanted to know what had occurred, and he sent him that email.

Mr. Cantrell asked Attorney Eschenfelder if Commissioner Price had told him she did not want to go with the model he had prepared and presented or if he heard about it from Mr. Daniels and Mr.

Lilly. The attorney said it was conveyed to him from Lilly and Daniels. Commissioner Price was not present, and she had never spoken to him about his draft. When it became apparent that Mr. Daniels was not going to use his draft and he did not have the City's document in Word form, Mr. Daniels instructed Mr. Lilly to take over whatever changes or drafting tasks would need to occur during the project's scope. They began drafting what they wanted at that meeting and asked that he provide what he thought should be included, which he gave the most critical thing that should be included. That still did not make it into the draft until later in the project when those topics came back up and the Civil Service Commission members began where they were. His role at that point was trying to prevent a bad policy from going forward or trying to make a not good policy a little bit better through his comments. Mr. Daniels said he would take it from there, thank you very much.

Chair Emblar said the attorney and Mr. Cantrell had done an excellent job helping them put the puzzle pieces together and how they got there. She now wants to discuss the future and where they go.

Mr. Cantrell said they are the Civil Service Commission, and the City Manager plays an important role. If they run into a position at the Civil Service Commission and need to make decisions, and the City Manager decides not to agree with them, could he get input from Mr. Eschenfelder, or do they need separate legal advice? The attorney said he could give legal advice and did so along the way, even if it was something Mr. Daniels did not want to hear. If the Civil Service Commission had a quasi-judicial discipline appeal hearing, there would be two attorneys, one representing the manager if desired, an attorney and himself representing the Civil Service Commission.

Mr. Cantrell said that in March 2021, the verbatim words on the Civil Service Commission meeting notes, "Now that management's recommendations is to go with an entirely different document, he cannot talk about the one he produced." How do they avoid that in the future? They should be able to do that if they want to move forward with a document. The attorney said they could do that, but what he was conveying is that because it was not his document, he could not speak to the recommendations being made by management. But, through the project, he gave his thoughts, advice, and recommendations even if Mr. Daniels felt differently. His duty is to the City of Madeira Beach, and no city manager will ever refrain from providing full advice and service to the City.

Chair Emblar said as a senior member of the committee; she takes responsibility for not having spoken up against the prior city manager and let him know they did not like what he was doing and that they would be going to the Board of Commissioners and get their permission or recommendations. In looking at how Mr. Cantrell presented it, they are not just advisors; she could have directed the Civil Service Commission to have more teeth to speak up to the former city manager.

Mr. Cantrell said he would like to recommend that they no longer use the 2019 version and continue using Mr. Eschenfelder's version as the Board of Commissioners originally intended. He would need a motion and a second. Mr. Tilka said he seconded it.

Mr. Cantrell motioned to discontinue the 2019 version and continue with the 2020 Eschenfelder version that is 60% completed. Mr. Tilka seconded the motion.

Roll Call:

Jerry Cantrell	"Yes"
Paul Tilka	"Yes"
Chair Emblar	"Yes"

The motion carried 3-0.

Mr. Cantrell said he would like to re-address Ordinance 2023-06 and discuss it at the next meeting because it does not provide for the things that the Board of Commissioners requested that they include in their rules. They did vote on it, but they need to go back and look at it. Ordinance 2023-06, amends Division 4, Civil Service Commission structure. It is the rules of what the Civil Service Commission will do. It says who the Commission members are, how they would proceed forward, and their rules to conduct meetings. There are things in there based upon what the Board of Commissioners requested that they include. He has what has been looked at and reviewed and has a proposed document that states there are times when they need to go beyond the city manager and report specific information to the Board of Commissioners. The minimum in a grievance is the employee and the city manager. Based on the Board of Commissioners' request, they need to add to their rules that if a charter officer is filed against, the grievance document goes to the Board of Commissioners. Other things need to be addressed in the rules, but that is one of the major things that must be included. Per the City Charter, the Civil Service Commissioner makes their rules, and the Board of Commissioners must approve them with or without changes, but they must rewrite them.

Chair Emblar said they have been hell bent on updating the policy document and need to focus on that although she agrees they need to focus on other things. They need to spend the time updating the attorney's version with what they have agreed to put in the policy so far to make sure it is there. She asked the City Clerk to send within the next few days the 2020 version they had been working on that is 60% completed. The City Clerk said she would, and that the City Attorney had the Word version. The attorney said he would send the Word version to the City Clerk to send to them.

Mr. Cantrell agreed that they need to finish the policy. He asked if they needed the rules first or the rules second. They need to fix the rules because the rules are how they dictate what they are going to do or do they finish the policy.

Chair Emblar said her preference would be to get the personnel policy up to date because they are at risk as the City.

Mr. Tilka said the policy is one thing, and the procedures are another, but they co-mingle. He could not come up with what was more important than the other. They both are very important. He is glad it all came up today, glad they took a vote and the direction they are headed currently. They needed to be on that track a long time ago. He thinks that Mr. Eschenfelder's expertise will keep them out of trouble. He felt a lot of the policy was born to play. They do not vary that much from other communities. They are just following their procedures. They could do both simultaneously

and delegate a portion of their time doing both. Do they all have to be all policy, or do they have to be all procedure?

Chair Emblar asked Mr. Cantrell if he would be willing to put together a rough draft for them. Mr. Cantrell said he already had it and would give it to them.

Mr. Cantrell recommended allocating an hour and a half on the policy and 30 minutes on the rules. Now that they are working with the 2020 version, they should have it done in two meetings. He asked that they hold off on sending Ordinance 2023-06 to the Board of Commissioners until they completed that redress of it. Chair Emblar agreed.

Attorney Eschenfelder reminded the Commission they had already voted to recommend approval of the ordinance to the Board of Commissioners. Mr. Cantrell asked how they would address it because there are things in there that need to be addressed based upon the Board of Commissioners guidance. That had not been done yet. There are items in there that must be corrected. It adds people to the Civil Service Commission that are not supposed to be part of it. The City Clerk is their secretary ex-officio. They must review things that the City Manager is doing. The City Manager should not be involved in deciding whether to cancel a meeting. If they are going to do that, it should be addressed through their secretary. The rules provide that the City Manager can cancel the meeting, and that should not be there. It should be the Civil Service Commission, the Chair, and the secretary ex-officio that recognize if there is something to discuss. If there is not, the chair and the secretary ex-officio decide to cancel the meeting, not the City Manager. There are historical problems, and they need to avoid duplication, which means the rules need to be restated. The City Manager said they had no issues for 18-1/2 months. They have been working well.

Chair Emblar asked about the whistleblower ordinance. It had not been adopted yet. The City Clerk said at the last Civil Service Commission meeting, Christina Pointe asked Mr. Cantrell to review all their documents and provide his feedback.

The City Clerk said the Civil Service Commission rules (Ordinance 2023-06) is something they put together because it is their rules. Christina Pointe had asked Jerry to go through everything and provide his comments. Instead of somebody just writing the rules, they can weigh in on the rules. She can put that on the next agenda for them to write their rules and when they want to meet.

Attorney Eschenfelder said he felt like the staff did not want to move it forward. The City Clerk said that the ordinance is listed on the City Manager's Excel spreadsheet to go to the Board of Commissioners. The ordinance was pushed back because there was a new Board of Commissioners. The City Manager said Ordinance 2023-06 and Ordinance 2023-07 are listed for first reading on August 9, 2023.

The City Clerk said at one of the Board of Commissioners meetings that Civil Service Commission Bylaws were listed because of the Miranda grievance hearing. They said that if the Civil Service Commission should rule in favor of employees and against the city manager, they wanted a copy of the complaint document to come to them because they are responsible to charter officers. Jerry wanted that language to be added to the ordinance because that had not happened yet.

Mr. Cantrell said that was only part of the change. There are two or three fixes in there that need to be re-addressed and changed. Although they have approved it, nothing stops them from changing something. If something has been omitted, they need to add it. Or they could send a report to the Board of Commissioners asking them to hold off on it. He did not know what the rules are.

Attorney Eschenfelder said his preference is for both ordinances to go forward and be adopted. Nothing stops the Civil Service Commission from simultaneously letting the Board of Commissioners know that certain tweaks need to be made. A new ordinance will be drafted, and it is recommended that the Commission approve that. The Civil Service Commission members may not all agree with Mr. Cantrell's changes and fixes. He does not want to delay the entire package to deal with those issues.

The City Clerk said an ordinance can be changed on first reading if its title does not change. The City Manager suggested making the changes before the ordinances go to the Board of Commissioners. It was discussed at a workshop in November 2022. If the Civil Service Commission wants to make any changes to the ordinances, they can before they go to the Board of Commissioners. The Civil Service Commission has the authority to make the rules they must follow.

Chair Embler asked that the ordinances be forwarded to them before the meeting so they can look at them and be prepared to talk about it at the meeting. They can approve of moving them forward with or without changes. The City Clerk said it would be better to change them at the first reading, so they do not have to create a new ordinance. The City Manager said they could make the changes at their August 8 meeting and then go to the first reading and public hearing at the September meeting. Mr. Cantrell said he had not had an opportunity to yet to review the whistleblower ordinance.

Chair Ember summarized the meeting:

1. The next meeting is August 8, 2023, at 2:00 p.m.
2. Mr. Cantrell will send the revisions to the ordinances right away.
3. They decided to dedicate an hour and a half to the personnel policy document at each meeting until it is updated and a half hour on other things and other issues.
4. Have an HR report.
5. They will move forward with the items listed on their agenda today they did not get to with the understanding that only a half hour would be spent on them unless the attorney or the city manager decided they need to be done immediately.

Mr. Cantrell thanked the city manager for listening to the presentation and agreeing to allow them to move forward. The City Manager said it is work for the Civil Service Commission. He will do whatever the Commission offers and asks of him. That has been his role since he had been there to be collaborative and cooperative. He and the staff will continue doing that.

Chair Embler said they were so appreciative of all the work and effort Jerry put into it. It was worth every second.

7. NEW BUSINESS

A. HR Director Position

B. Pay Plan for all classified City positions, (City Charter, Sec. 5.7, C, 2)

C. Classification of all classified City positions, based upon duties, authority and responsibility of each person, with adequate provisions for classification of any position whenever warranted by circumstances (City Charter, Sec. 5.7, C, 1)

D. Employee Satisfaction Surveys

E. Implementation Process for making sure that all rules, regulations, and procedures of the Employee Personnel Policy are working and is followed by everyone.

8. NEXT MEETING

The next Civil Service Commission meeting is on Tuesday, August 8, 2023, at 2:00 p.m.

9. ADJOURNMENT

Chair Gene Embler adjourned the meeting at 4:10 p.m.

ATTEST:

Gene Embler, Chair

Clara VanBlargan, City Clerk/Secretary Ex-Officio

- A. *Merit principal.* All appointments and promotions of City employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.
- B. *Civil Service Commission; Membership.* There shall be a Civil Service Commission of the City of Madeira Beach, Florida, which Commission shall be composed of five citizens of said City. The Civil Service Commission shall be appointed by the Board of Commissioners of the City of Madeira Beach, Florida. The term of office for each member shall be three years and shall be staggered so that not more than two terms expire within any one year. Three Commissioners shall constitute a quorum. Members of the Civil Service Commission shall hold no remunerative office or employment under the City of Madeira Beach, Florida. The Board of Commissioners of the City of Madeira Beach, Florida, shall have the authority to remove for cause any and/or all Civil Service Commissioners.
- C. *Personnel Rules.* The Civil Service Commission shall prepare personnel rules. When concurred by the City Manager, the rules shall be proposed to the Board of Commissioners, and the Board of Commissioners may by Ordinance adopt them with or without amendment. These rules shall include, but are not limited to:
1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
 2. A pay plan for all classified City positions;
 3. Methods for determining the merits and fitness of candidates for appointment or promotions;
 4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
 5. The hours of work, attendance regulation and provisions for sick and vacation leave;
 6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
 7. Other practices and procedures necessary to the administration of the City personnel system;
 8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.
- D. *Duties and powers of the Civil Service Commission.* All duties, powers, reservations of power, and funding for the Civil Service Commission may be provided for by Ordinance duly passed by the

Board of Commissioners of the City of Madeira Beach, Florida.

Item 6A.

- E. *Powers to collectively bargain recognized.* Nothing contained in this Charter shall limit the power of the Board of Commissioners of the City of Madeira Beach, Florida, acting through its Manager from entering into collective bargaining negotiations with any officers, employees, or group of employees for the purpose of establishing by contract conditions of employment, rules or compensation of said officers, employees, or groups of employees. For the purposes of this Charter, ARTICLE I, Section 6, of the Constitution of the State of Florida is specifically recognized.

(Ord. No. 446, 1-28-1975; Ord. No. 664, 8-14-1984/11-7-1984; Ord. No. 2018-09, § 1(Exh. A), 8-20-2018)

Employee_Name	Position_Title	Department_Desc	01/01/2020 - 12/31/2020	01/01/2021 - 12/31/2021	01/01/2022 - 12/31/2022	01/01/2020 - 7/20/2023	2020 Hrs	2021 Hrs	2022 Hrs	2023 Hrs
HEARN, MARY	Front Desk Administrative Assistant	City Manager	\$ -	\$ -	\$ 560.10	\$ 761.25	0	0	27.88	36.25
KORDIS, PATRICIA	Front Desk Administrative Assistant	City Manager	\$ 210.53	\$ -	\$ -	\$ -	6.88	0	0	0
POWERS, MEGAN	Assistant to the City Manager	City Manager	\$ 964.40	\$ 137.70	\$ 201.10	\$ -	0.59	4.5	6.38	0
PORTAL, SUSAN	Program Coordinator	Community Development	\$ -	\$ 147.20	\$ -	\$ -	0	7.13	0	0
BUSZINSKI, CAROL		Finance	\$ 118.20	\$ -	\$ -	\$ -	1.86	0	0	0
BAILEY, ROBIN	Records Clerk - Administrative Assistant I	City Clerk	\$ -	\$ -	\$ 45.00	\$ -	0	0	2.5	0
HOOLEY, LARA	Executive Assistant to the City Clerk	City Clerk	\$ -	\$ 216.00	\$ 1,456.70	\$ 352.80	0	8	52.5	12
SCHIMMER, RUSSELL	Public Works Technician	Public Works Administration	\$ 1,633.00	\$ 1,926.96	\$ 2,183.28	\$ 833.76	63	124	132	48
GARRETTO, SEAN	Recreation Leader III	Recreation	\$ -	\$ -	\$ 610.09	\$ 2,306.23	0	0	33.25	123.13
KEPICS, CAROL	Recreation Supervisor	Recreation	\$ 254.24	\$ 549.29	\$ -	\$ -	6.39	24.38	0	0
MICHALSKI, MAXWELL	Recreation Leader III	Recreation	\$ 94.68	\$ -	\$ -	\$ -	5.25	0	0	0
ROBERTS, KELLY	Recreation Leader II	Recreation	\$ -	\$ -	\$ -	\$ 456.00	0	0	0	24
ZANGARA, KENNETH	Stormwater Supervisor	Stormwater	\$ 1,179.62	\$ 2,256.30	\$ 4,337.76	\$ 27.11	78	90	168	1
DAVIS, KENNETH	Senior Stormwater Technician	Stormwater	\$ 2,559.77	\$ 2,204.63	\$ -	\$ -	118.25	113	0	0
MECKO, CHRISTOPHER J	Grounds Maintenance Supervisor	Archibald Fund	\$ 207.68	\$ 249.35	\$ 90.59	\$ -	18.74	12.76	4.5	0
			\$ 7,222.12	\$ 7,687.43	\$ 9,484.62	\$ 4,737.15	298.96	383.77	427.01	244.38

This content is from the eCFR and is authoritative but unofficial.

Title 29 – Labor

Subtitle B – Regulations Relating to Labor

Chapter V – Wage and Hour Division, Department of Labor

Subchapter A – Regulations

Part 541 Defining and Delimiting the Exemptions for Executive, Administrative,
Professional, Computer and Outside Sales Employees

Subpart A General Regulations

- § 541.0 Introductory statement.
- § 541.1 Terms used in regulations.
- § 541.2 Job titles insufficient.
- § 541.3 Scope of the section 13(a)(1) exemptions.
- § 541.4 Other laws and collective bargaining agreements.

Subpart B Executive Employees

- § 541.100 General rule for executive employees.
- § 541.101 Business owner.
- § 541.102 Management.
- § 541.103 Department or subdivision.
- § 541.104 Two or more other employees.
- § 541.105 Particular weight.
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Subpart C Administrative Employees

- § 541.200 General rule for administrative employees.
- § 541.201 Directly related to management or general business operations.
- § 541.202 Discretion and independent judgment.
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- § 541.300 General rule for professional employees.
- § 541.301 Learned professionals.
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Subpart E Computer Employees

- § 541.400 General rule for computer employees.
- § 541.401 Computer manufacture and repair.
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Subpart F Outside Sales Employees

- § 541.500 General rule for outside sales employees.
- § 541.501 Making sales or obtaining orders.
- § 541.502 Away from employer's place of business.
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Subpart G Salary Requirements

- § 541.600 Amount of salary required.
- § 541.601 Highly compensated employees.

- § 541.602 Salary basis.
- § 541.603 Effect of improper deductions from salary.
- § 541.604 Minimum guarantee plus extras.
- § 541.605 Fee basis.
- § 541.606 Board, lodging or other facilities.
- § 541.607 [Reserved]

Subpart H Definitions and Miscellaneous Provisions

- § 541.700 Primary duty.
- § 541.701 Customarily and regularly.
- § 541.702 Exempt and nonexempt work.
- § 541.703 Directly and closely related.
- § 541.704 Use of manuals.
- § 541.705 Trainees.
- § 541.706 Emergencies.
- § 541.707 Occasional tasks.
- § 541.708 Combination exemptions.
- § 541.709 Motion picture producing industry.
- § 541.710 Employees of public agencies.

PART 541—DEFINING AND DELIMITING THE EXEMPTIONS FOR EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, COMPUTER AND OUTSIDE SALES EMPLOYEES

Authority: 29 U.S.C. 213; Public Law 101–583, 104 Stat. 2871; Reorganization Plan No. 6 of 1950 (3 CFR 1945–53 Comp. p. 1004); Secretary's Order No. 4–2001 (66 FR 29656). 29 U.S.C. 213; Pub. L. 101–583, 104 Stat. 2871; Reorganization Plan No. 6 of 1950 (3 CFR, 1945–53 Comp., p. 1004); Secretary's Order 01–2014 (Dec. 19, 2014), 79 FR 77527 (Dec. 24, 2014).

Source: 69 FR 22260, Apr. 23, 2004, unless otherwise noted.

Subpart A—General Regulations

§ 541.0 Introductory statement.

- (a) Section 13(a)(1) of the Fair Labor Standards Act, as amended, provides an exemption from the Act's minimum wage and overtime requirements for any employee employed in a bona fide executive, administrative, or professional capacity (including any employee employed in the capacity of academic administrative personnel or teacher in elementary or secondary schools), or in the capacity of an outside sales employee, as such terms are defined and delimited from time to time by regulations of the Secretary, subject to the provisions of the Administrative Procedure Act. Section 13(a)(17) of the Act provides an exemption from the minimum wage and overtime requirements for computer systems analysts, computer programmers, software engineers, and other similarly skilled computer employees.

- (b) The requirements for these exemptions are contained in this part as follows: executive employees, subpart B; administrative employees, subpart C; professional employees, subpart D; computer employees, subpart E; outside sales employees, subpart F. Subpart G contains regulations regarding salary requirements applicable to most of the exemptions, including salary levels and the salary basis test. Subpart G also contains a provision for exempting certain highly compensated employees. Subpart H contains definitions and other miscellaneous provisions applicable to all or several of the exemptions.
- (c) Effective July 1, 1972, the Fair Labor Standards Act was amended to include within the protection of the equal pay provisions those employees exempt from the minimum wage and overtime pay provisions as bona fide executive, administrative, and professional employees (including any employee employed in the capacity of academic administrative personnel or teacher in elementary or secondary schools), or in the capacity of an outside sales employee under section 13(a)(1) of the Act. The equal pay provisions in section 6(d) of the Fair Labor Standards Act are administered and enforced by the United States Equal Employment Opportunity Commission.

§ 541.1 Terms used in regulations.

Act means the Fair Labor Standards Act of 1938, as amended.

Administrator means the Administrator of the Wage and Hour Division, United States Department of Labor. The Secretary of Labor has delegated to the Administrator the functions vested in the Secretary under sections 13(a)(1) and 13(a)(17) of the Fair Labor Standards Act.

§ 541.2 Job titles insufficient.

A job title alone is insufficient to establish the exempt status of an employee. The exempt or nonexempt status of any particular employee must be determined on the basis of whether the employee's salary and duties meet the requirements of the regulations in this part.

§ 541.3 Scope of the section 13(a)(1) exemptions.

- (a) The section 13(a)(1) exemptions and the regulations in this part do not apply to manual laborers or other "blue collar" workers who perform work involving repetitive operations with their hands, physical skill and energy. Such nonexempt "blue collar" employees gain the skills and knowledge required for performance of their routine manual and physical work through apprenticeships and on-the-job training, not through the prolonged course of specialized intellectual instruction required for exempt learned professional employees such as medical doctors, architects and archeologists. Thus, for example, non-management production-line employees and non-management employees in maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers and laborers are entitled to minimum wage and overtime premium pay under the Fair Labor Standards Act, and are not exempt under the regulations in this part no matter how highly paid they might be.
- (b)
 - (1) The section 13(a)(1) exemptions and the regulations in this part also do not apply to police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees, regardless of rank or pay level, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance;

pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; or other similar work.

- (2) Such employees do not qualify as exempt executive employees because their primary duty is not management of the enterprise in which the employee is employed or a customarily recognized department or subdivision thereof as required under § 541.100. Thus, for example, a police officer or fire fighter whose primary duty is to investigate crimes or fight fires is not exempt under section 13(a)(1) of the Act merely because the police officer or fire fighter also directs the work of other employees in the conduct of an investigation or fighting a fire.
- (3) Such employees do not qualify as exempt administrative employees because their primary duty is not the performance of work directly related to the management or general business operations of the employer or the employer's customers as required under § 541.200.
- (4) Such employees do not qualify as exempt professionals because their primary duty is not the performance of work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction or the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor as required under § 541.300. Although some police officers, fire fighters, paramedics, emergency medical technicians and similar employees have college degrees, a specialized academic degree is not a standard prerequisite for employment in such occupations.

§ 541.4 Other laws and collective bargaining agreements.

The Fair Labor Standards Act provides minimum standards that may be exceeded, but cannot be waived or reduced. Employers must comply, for example, with any Federal, State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the Act. Similarly, employers, on their own initiative or under a collective bargaining agreement with a labor union, are not precluded by the Act from providing a wage higher than the statutory minimum, a shorter workweek than the statutory maximum, or a higher overtime premium (double time, for example) than provided by the Act. While collective bargaining agreements cannot waive or reduce the Act's protections, nothing in the Act or the regulations in this part relieves employers from their contractual obligations under collective bargaining agreements.

Subpart B—Executive Employees

§ 541.100 General rule for executive employees.

- (a) The term "employee employed in a bona fide executive capacity" in section 13(a)(1) of the Act shall mean any employee:
 - (1) Compensated on a salary basis pursuant to § 541.600 at a rate of not less than \$684 per week (or \$455 per week if employed in the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the U.S. Virgin Islands by employers other than the Federal government, or \$380 per week if employed in American Samoa by employers other than the Federal government), exclusive of board, lodging or other facilities;
 - (2) Whose primary duty is management of the enterprise in which the employee is employed or of a customarily recognized department or subdivision thereof;
 - (3) Who customarily and regularly directs the work of two or more other employees; and

(4) Who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees are given particular weight.

(b) The phrase “salary basis” is defined at § 541.602; “board, lodging or other facilities” is defined at § 541.606; “primary duty” is defined at § 541.700; and “customarily and regularly” is defined at § 541.701.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32549, May 23, 2016; 84 FR 51306, Sept. 27, 2019]

§ 541.101 Business owner.

The term “employee employed in a bona fide executive capacity” in section 13(a)(1) of the Act also includes any employee who owns at least a bona fide 20-percent equity interest in the enterprise in which the employee is employed, regardless of whether the business is a corporate or other type of organization, and who is actively engaged in its management. The term “management” is defined in § 541.102. The requirements of Subpart G (salary requirements) of this part do not apply to the business owners described in this section.

§ 541.102 Management.

Generally, “management” includes, but is not limited to, activities such as interviewing, selecting, and training of employees; setting and adjusting their rates of pay and hours of work; directing the work of employees; maintaining production or sales records for use in supervision or control; appraising employees' productivity and efficiency for the purpose of recommending promotions or other changes in status; handling employee complaints and grievances; disciplining employees; planning the work; determining the techniques to be used; apportioning the work among the employees; determining the type of materials, supplies, machinery, equipment or tools to be used or merchandise to be bought, stocked and sold; controlling the flow and distribution of materials or merchandise and supplies; providing for the safety and security of the employees or the property; planning and controlling the budget; and monitoring or implementing legal compliance measures.

§ 541.103 Department or subdivision.

(a) The phrase “a customarily recognized department or subdivision” is intended to distinguish between a mere collection of employees assigned from time to time to a specific job or series of jobs and a unit with permanent status and function. A customarily recognized department or subdivision must have a permanent status and a continuing function. For example, a large employer's human resources department might have subdivisions for labor relations, pensions and other benefits, equal employment opportunity, and personnel management, each of which has a permanent status and function.

(b) When an enterprise has more than one establishment, the employee in charge of each establishment may be considered in charge of a recognized subdivision of the enterprise.

(c) A recognized department or subdivision need not be physically within the employer's establishment and may move from place to place. The mere fact that the employee works in more than one location does not invalidate the exemption if other factors show that the employee is actually in charge of a recognized unit with a continuing function in the organization.

- (d) Continuity of the same subordinate personnel is not essential to the existence of a recognized unit with a continuing function. An otherwise exempt employee will not lose the exemption merely because the employee draws and supervises workers from a pool or supervises a team of workers drawn from other recognized units, if other factors are present that indicate that the employee is in charge of a recognized unit with a continuing function.

§ 541.104 Two or more other employees.

- (a) To qualify as an exempt executive under § 541.100, the employee must customarily and regularly direct the work of two or more other employees. The phrase “two or more other employees” means two full-time employees or their equivalent. One full-time and two half-time employees, for example, are equivalent to two full-time employees. Four half-time employees are also equivalent.
- (b) The supervision can be distributed among two, three or more employees, but each such employee must customarily and regularly direct the work of two or more other full-time employees or the equivalent. Thus, for example, a department with five full-time nonexempt workers may have up to two exempt supervisors if each such supervisor customarily and regularly directs the work of two of those workers.
- (c) An employee who merely assists the manager of a particular department and supervises two or more employees only in the actual manager's absence does not meet this requirement.
- (d) Hours worked by an employee cannot be credited more than once for different executives. Thus, a shared responsibility for the supervision of the same two employees in the same department does not satisfy this requirement. However, a full-time employee who works four hours for one supervisor and four hours for a different supervisor, for example, can be credited as a half-time employee for both supervisors.

§ 541.105 Particular weight.

To determine whether an employee's suggestions and recommendations are given “particular weight,” factors to be considered include, but are not limited to, whether it is part of the employee's job duties to make such suggestions and recommendations; the frequency with which such suggestions and recommendations are made or requested; and the frequency with which the employee's suggestions and recommendations are relied upon. Generally, an executive's suggestions and recommendations must pertain to employees whom the executive customarily and regularly directs. It does not include an occasional suggestion with regard to the change in status of a co-worker. An employee's suggestions and recommendations may still be deemed to have “particular weight” even if a higher level manager's recommendation has more importance and even if the employee does not have authority to make the ultimate decision as to the employee's change in status.

§ 541.106 Concurrent duties.

- (a) Concurrent performance of exempt and nonexempt work does not disqualify an employee from the executive exemption if the requirements of § 541.100 are otherwise met. Whether an employee meets the requirements of § 541.100 when the employee performs concurrent duties is determined on a case-by-case basis and based on the factors set forth in § 541.700. Generally, exempt executives make the decision regarding when to perform nonexempt duties and remain responsible for the success or failure of business operations under their management while performing the nonexempt work. In contrast, the nonexempt employee generally is directed by a supervisor to perform the exempt work or performs the exempt work for defined time periods. An employee whose primary duty is ordinary production work or routine, recurrent or repetitive tasks cannot qualify for exemption as an executive.

- (b) For example, an assistant manager in a retail establishment may perform work such as serving customers, cooking food, stocking shelves and cleaning the establishment, but performance of such nonexempt work does not preclude the exemption if the assistant manager's primary duty is management. An assistant manager can supervise employees and serve customers at the same time without losing the exemption. An exempt employee can also simultaneously direct the work of other employees and stock shelves.
- (c) In contrast, a relief supervisor or working supervisor whose primary duty is performing nonexempt work on the production line in a manufacturing plant does not become exempt merely because the nonexempt production line employee occasionally has some responsibility for directing the work of other nonexempt production line employees when, for example, the exempt supervisor is unavailable. Similarly, an employee whose primary duty is to work as an electrician is not an exempt executive even if the employee also directs the work of other employees on the job site, orders parts and materials for the job, and handles requests from the prime contractor.

Subpart C—Administrative Employees

§ 541.200 General rule for administrative employees.

- (a) The term “employee employed in a bona fide administrative capacity” in section 13(a)(1) of the Act shall mean any employee:
 - (1) Compensated on a salary or fee basis pursuant to § 541.600 at a rate of not less than \$684 per week (or \$455 per week if employed in the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the U.S. Virgin Islands by employers other than the Federal government, or \$380 per week if employed in American Samoa by employers other than the Federal government), exclusive of board, lodging or other facilities;
 - (2) Whose primary duty is the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
 - (3) Whose primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.
- (b) The term “salary basis” is defined at § 541.602; “fee basis” is defined at § 541.605; “board, lodging or other facilities” is defined at § 541.606; and “primary duty” is defined at § 541.700.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32549, May 23, 2016; 84 FR 51306, Sept. 27, 2019]

§ 541.201 Directly related to management or general business operations.

- (a) To qualify for the administrative exemption, an employee's primary duty must be the performance of work directly related to the management or general business operations of the employer or the employer's customers. The phrase “directly related to the management or general business operations” refers to the type of work performed by the employee. To meet this requirement, an employee must perform work directly related to assisting with the running or servicing of the business, as distinguished, for example, from working on a manufacturing production line or selling a product in a retail or service establishment.
- (b) Work directly related to management or general business operations includes, but is not limited to, work in functional areas such as tax; finance; accounting; budgeting; auditing; insurance; quality control; purchasing; procurement; advertising; marketing; research; safety and health; personnel management;

human resources; employee benefits; labor relations; public relations, government relations; computer network, internet and database administration; legal and regulatory compliance; and similar activities. Some of these activities may be performed by employees who also would qualify for another exemption.

- (c) An employee may qualify for the administrative exemption if the employee's primary duty is the performance of work directly related to the management or general business operations of the employer's customers. Thus, for example, employees acting as advisers or consultants to their employer's clients or customers (as tax experts or financial consultants, for example) may be exempt.

§ 541.202 Discretion and independent judgment.

- (a) To qualify for the administrative exemption, an employee's primary duty must include the exercise of discretion and independent judgment with respect to matters of significance. In general, the exercise of discretion and independent judgment involves the comparison and the evaluation of possible courses of conduct, and acting or making a decision after the various possibilities have been considered. The term "matters of significance" refers to the level of importance or consequence of the work performed.
- (b) The phrase "discretion and independent judgment" must be applied in the light of all the facts involved in the particular employment situation in which the question arises. Factors to consider when determining whether an employee exercises discretion and independent judgment with respect to matters of significance include, but are not limited to: whether the employee has authority to formulate, affect, interpret, or implement management policies or operating practices; whether the employee carries out major assignments in conducting the operations of the business; whether the employee performs work that affects business operations to a substantial degree, even if the employee's assignments are related to operation of a particular segment of the business; whether the employee has authority to commit the employer in matters that have significant financial impact; whether the employee has authority to waive or deviate from established policies and procedures without prior approval; whether the employee has authority to negotiate and bind the company on significant matters; whether the employee provides consultation or expert advice to management; whether the employee is involved in planning long- or short-term business objectives; whether the employee investigates and resolves matters of significance on behalf of management; and whether the employee represents the company in handling complaints, arbitrating disputes or resolving grievances.
- (c) The exercise of discretion and independent judgment implies that the employee has authority to make an independent choice, free from immediate direction or supervision. However, employees can exercise discretion and independent judgment even if their decisions or recommendations are reviewed at a higher level. Thus, the term "discretion and independent judgment" does not require that the decisions made by an employee have a finality that goes with unlimited authority and a complete absence of review. The decisions made as a result of the exercise of discretion and independent judgment may consist of recommendations for action rather than the actual taking of action. The fact that an employee's decision may be subject to review and that upon occasion the decisions are revised or reversed after review does not mean that the employee is not exercising discretion and independent judgment. For example, the policies formulated by the credit manager of a large corporation may be subject to review by higher company officials who may approve or disapprove these policies. The management consultant who has made a study of the operations of a business and who has drawn a proposed change in organization may have the plan reviewed or revised by superiors before it is submitted to the client.

- (d) An employer's volume of business may make it necessary to employ a number of employees to perform the same or similar work. The fact that many employees perform identical work or work of the same relative importance does not mean that the work of each such employee does not involve the exercise of discretion and independent judgment with respect to matters of significance.
- (e) The exercise of discretion and independent judgment must be more than the use of skill in applying well-established techniques, procedures or specific standards described in manuals or other sources. See also § 541.704 regarding use of manuals. The exercise of discretion and independent judgment also does not include clerical or secretarial work, recording or tabulating data, or performing other mechanical, repetitive, recurrent or routine work. An employee who simply tabulates data is not exempt, even if labeled as a "statistician."
- (f) An employee does not exercise discretion and independent judgment with respect to matters of significance merely because the employer will experience financial losses if the employee fails to perform the job properly. For example, a messenger who is entrusted with carrying large sums of money does not exercise discretion and independent judgment with respect to matters of significance even though serious consequences may flow from the employee's neglect. Similarly, an employee who operates very expensive equipment does not exercise discretion and independent judgment with respect to matters of significance merely because improper performance of the employee's duties may cause serious financial loss to the employer.

§ 541.203 Administrative exemption examples.

- (a) Insurance claims adjusters generally meet the duties requirements for the administrative exemption, whether they work for an insurance company or other type of company, if their duties include activities such as interviewing insureds, witnesses and physicians; inspecting property damage; reviewing factual information to prepare damage estimates; evaluating and making recommendations regarding coverage of claims; determining liability and total value of a claim; negotiating settlements; and making recommendations regarding litigation.
- (b) Employees in the financial services industry generally meet the duties requirements for the administrative exemption if their duties include work such as collecting and analyzing information regarding the customer's income, assets, investments or debts; determining which financial products best meet the customer's needs and financial circumstances; advising the customer regarding the advantages and disadvantages of different financial products; and marketing, servicing or promoting the employer's financial products. However, an employee whose primary duty is selling financial products does not qualify for the administrative exemption.
- (c) An employee who leads a team of other employees assigned to complete major projects for the employer (such as purchasing, selling or closing all or part of the business, negotiating a real estate transaction or a collective bargaining agreement, or designing and implementing productivity improvements) generally meets the duties requirements for the administrative exemption, even if the employee does not have direct supervisory responsibility over the other employees on the team.
- (d) An executive assistant or administrative assistant to a business owner or senior executive of a large business generally meets the duties requirements for the administrative exemption if such employee, without specific instructions or prescribed procedures, has been delegated authority regarding matters of significance.

- (e) Human resources managers who formulate, interpret or implement employment policies and management consultants who study the operations of a business and propose changes in organization generally meet the duties requirements for the administrative exemption. However, personnel clerks who “screen” applicants to obtain data regarding their minimum qualifications and fitness for employment generally do not meet the duties requirements for the administrative exemption. Such personnel clerks typically will reject all applicants who do not meet minimum standards for the particular job or for employment by the company. The minimum standards are usually set by the exempt human resources manager or other company officials, and the decision to hire from the group of qualified applicants who do meet the minimum standards is similarly made by the exempt human resources manager or other company officials. Thus, when the interviewing and screening functions are performed by the human resources manager or personnel manager who makes the hiring decision or makes recommendations for hiring from the pool of qualified applicants, such duties constitute exempt work, even though routine, because this work is directly and closely related to the employee's exempt functions.
- (f) Purchasing agents with authority to bind the company on significant purchases generally meet the duties requirements for the administrative exemption even if they must consult with top management officials when making a purchase commitment for raw materials in excess of the contemplated plant needs.
- (g) Ordinary inspection work generally does not meet the duties requirements for the administrative exemption. Inspectors normally perform specialized work along standardized lines involving well-established techniques and procedures which may have been catalogued and described in manuals or other sources. Such inspectors rely on techniques and skills acquired by special training or experience. They have some leeway in the performance of their work but only within closely prescribed limits.
- (h) Employees usually called examiners or graders, such as employees that grade lumber, generally do not meet the duties requirements for the administrative exemption. Such employees usually perform work involving the comparison of products with established standards which are frequently catalogued. Often, after continued reference to the written standards, or through experience, the employee acquires sufficient knowledge so that reference to written standards is unnecessary. The substitution of the employee's memory for a manual of standards does not convert the character of the work performed to exempt work requiring the exercise of discretion and independent judgment.
- (i) Comparison shopping performed by an employee of a retail store who merely reports to the buyer the prices at a competitor's store does not qualify for the administrative exemption. However, the buyer who evaluates such reports on competitor prices to set the employer's prices generally meets the duties requirements for the administrative exemption.
- (j) Public sector inspectors or investigators of various types, such as fire prevention or safety, building or construction, health or sanitation, environmental or soils specialists and similar employees, generally do not meet the duties requirements for the administrative exemption because their work typically does not involve work directly related to the management or general business operations of the employer. Such employees also do not qualify for the administrative exemption because their work involves the use of skills and technical abilities in gathering factual information, applying known standards or prescribed procedures, determining which procedure to follow, or determining whether prescribed standards or criteria are met.

§ 541.204 Educational establishments.

- (a) The term “employee employed in a bona fide administrative capacity” in section 13(a)(1) of the Act also includes employees:

- (1) Compensated on a salary or fee basis at a rate of not less than \$684 per week (or \$455 per week if employed in the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the U.S. Virgin Islands by employers other than the Federal government, or \$380 per week if employed in American Samoa by employers other than the Federal government), exclusive of board, lodging, or other facilities; or on a salary basis which is at least equal to the entrance salary for teachers in the educational establishment by which employed; and
 - (2) Whose primary duty is performing administrative functions directly related to academic instruction or training in an educational establishment or department or subdivision thereof.
- (b) The term “educational establishment” means an elementary or secondary school system, an institution of higher education or other educational institution. Sections 3(v) and 3(w) of the Act define elementary and secondary schools as those day or residential schools that provide elementary or secondary education, as determined under State law. Under the laws of most States, such education includes the curriculums in grades 1 through 12; under many it includes also the introductory programs in kindergarten. Such education in some States may also include nursery school programs in elementary education and junior college curriculums in secondary education. The term “other educational establishment” includes special schools for mentally or physically disabled or gifted children, regardless of any classification of such schools as elementary, secondary or higher. Factors relevant in determining whether post-secondary career programs are educational institutions include whether the school is licensed by a state agency responsible for the state’s educational system or accredited by a nationally recognized accrediting organization for career schools. Also, for purposes of the exemption, no distinction is drawn between public and private schools, or between those operated for profit and those that are not for profit.
- (c) The phrase “performing administrative functions directly related to academic instruction or training” means work related to the academic operations and functions in a school rather than to administration along the lines of general business operations. Such academic administrative functions include operations directly in the field of education. Jobs relating to areas outside the educational field are not within the definition of academic administration.
- (1) Employees engaged in academic administrative functions include: the superintendent or other head of an elementary or secondary school system, and any assistants, responsible for administration of such matters as curriculum, quality and methods of instructing, measuring and testing the learning potential and achievement of students, establishing and maintaining academic and grading standards, and other aspects of the teaching program; the principal and any vice-principals responsible for the operation of an elementary or secondary school; department heads in institutions of higher education responsible for the administration of the mathematics department, the English department, the foreign language department, etc.; academic counselors who perform work such as administering school testing programs, assisting students with academic problems and advising students concerning degree requirements; and other employees with similar responsibilities.
 - (2) Jobs relating to building management and maintenance, jobs relating to the health of the students, and academic staff such as social workers, psychologists, lunch room managers or dietitians do not perform academic administrative functions. Although such work is not considered academic administration, such employees may qualify for exemption under § 541.200 or under other sections of this part, provided the requirements for such exemptions are met.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32549, May 23, 2016; 84 FR 51306, Sept. 27, 2019]

Subpart D—Professional Employees

§ 541.300 General rule for professional employees.

- (a) The term “employee employed in a bona fide professional capacity” in section 13(a)(1) of the Act shall mean any employee:
 - (1) Compensated on a salary or fee basis pursuant to § 541.600 at a rate of not less than \$684 per week (or \$455 per week if employed in the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the U.S. Virgin Islands by employers other than the Federal government, or \$380 per week if employed in American Samoa by employers other than the Federal government), exclusive of board, lodging or other facilities; and
 - (2) Whose primary duty is the performance of work:
 - (i) Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction; or
 - (ii) Requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.
- (b) The term “salary basis” is defined at § 541.602; “fee basis” is defined at § 541.605; “board, lodging or other facilities” is defined at § 541.606; and “primary duty” is defined at § 541.700.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32549, May 23, 2016; 84 FR 51306, Sept. 27, 2019]

§ 541.301 Learned professionals.

- (a) To qualify for the learned professional exemption, an employee's primary duty must be the performance of work requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction. This primary duty test includes three elements:
 - (1) The employee must perform work requiring advanced knowledge;
 - (2) The advanced knowledge must be in a field of science or learning; and
 - (3) The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.
- (b) The phrase “work requiring advanced knowledge” means work which is predominantly intellectual in character, and which includes work requiring the consistent exercise of discretion and judgment, as distinguished from performance of routine mental, manual, mechanical or physical work. An employee who performs work requiring advanced knowledge generally uses the advanced knowledge to analyze, interpret or make deductions from varying facts or circumstances. Advanced knowledge cannot be attained at the high school level.
- (c) The phrase “field of science or learning” includes the traditional professions of law, medicine, theology, accounting, actuarial computation, engineering, architecture, teaching, various types of physical, chemical and biological sciences, pharmacy and other similar occupations that have a recognized professional status as distinguished from the mechanical arts or skilled trades where in some instances the knowledge is of a fairly advanced type, but is not in a field of science or learning.
- (d) The phrase “customarily acquired by a prolonged course of specialized intellectual instruction” restricts the exemption to professions where specialized academic training is a standard prerequisite for entrance into the profession. The best prima facie evidence that an employee meets this requirement is possession of the appropriate academic degree. However, the word “customarily” means that the

exemption is also available to employees in such professions who have substantially the same knowledge level and perform substantially the same work as the degreed employees, but who attained the advanced knowledge through a combination of work experience and intellectual instruction. Thus, for example, the learned professional exemption is available to the occasional lawyer who has not gone to law school, or the occasional chemist who is not the possessor of a degree in chemistry. However, the learned professional exemption is not available for occupations that customarily may be performed with only the general knowledge acquired by an academic degree in any field, with knowledge acquired through an apprenticeship, or with training in the performance of routine mental, manual, mechanical or physical processes. The learned professional exemption also does not apply to occupations in which most employees have acquired their skill by experience rather than by advanced specialized intellectual instruction.

(e)

- (1) **Registered or certified medical technologists.** Registered or certified medical technologists who have successfully completed three academic years of pre-professional study in an accredited college or university plus a fourth year of professional course work in a school of medical technology approved by the Council of Medical Education of the American Medical Association generally meet the duties requirements for the learned professional exemption.
- (2) **Nurses.** Registered nurses who are registered by the appropriate State examining board generally meet the duties requirements for the learned professional exemption. Licensed practical nurses and other similar health care employees, however, generally do not qualify as exempt learned professionals because possession of a specialized advanced academic degree is not a standard prerequisite for entry into such occupations.
- (3) **Dental hygienists.** Dental hygienists who have successfully completed four academic years of pre-professional and professional study in an accredited college or university approved by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs of the American Dental Association generally meet the duties requirements for the learned professional exemption.
- (4) **Physician assistants.** Physician assistants who have successfully completed four academic years of pre-professional and professional study, including graduation from a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant, and who are certified by the National Commission on Certification of Physician Assistants generally meet the duties requirements for the learned professional exemption.
- (5) **Accountants.** Certified public accountants generally meet the duties requirements for the learned professional exemption. In addition, many other accountants who are not certified public accountants but perform similar job duties may qualify as exempt learned professionals. However, accounting clerks, bookkeepers and other employees who normally perform a great deal of routine work generally will not qualify as exempt professionals.
- (6) **Chefs.** Chefs, such as executive chefs and sous chefs, who have attained a four-year specialized academic degree in a culinary arts program, generally meet the duties requirements for the learned professional exemption. The learned professional exemption is not available to cooks who perform predominantly routine mental, manual, mechanical or physical work.
- (7) **Paralegals.** Paralegals and legal assistants generally do not qualify as exempt learned professionals because an advanced specialized academic degree is not a standard prerequisite for entry into the field. Although many paralegals possess general four-year advanced degrees, most specialized paralegal programs are two-year associate degree programs from a community college or equivalent

institution. However, the learned professional exemption is available for paralegals who possess advanced specialized degrees in other professional fields and apply advanced knowledge in that field in the performance of their duties. For example, if a law firm hires an engineer as a paralegal to provide expert advice on product liability cases or to assist on patent matters, that engineer would qualify for exemption.

- (8) ***Athletic trainers.*** Athletic trainers who have successfully completed four academic years of pre-professional and professional study in a specialized curriculum accredited by the Commission on Accreditation of Allied Health Education Programs and who are certified by the Board of Certification of the National Athletic Trainers Association Board of Certification generally meet the duties requirements for the learned professional exemption.
- (9) ***Funeral directors or embalmers.*** Licensed funeral directors and embalmers who are licensed by and working in a state that requires successful completion of four academic years of pre-professional and professional study, including graduation from a college of mortuary science accredited by the American Board of Funeral Service Education, generally meet the duties requirements for the learned professional exemption.

- (f) The areas in which the professional exemption may be available are expanding. As knowledge is developed, academic training is broadened and specialized degrees are offered in new and diverse fields, thus creating new specialists in particular fields of science or learning. When an advanced specialized degree has become a standard requirement for a particular occupation, that occupation may have acquired the characteristics of a learned profession. Accrediting and certifying organizations similar to those listed in paragraphs (e)(1), (e)(3), (e)(4), (e)(8) and (e)(9) of this section also may be created in the future. Such organizations may develop similar specialized curriculums and certification programs which, if a standard requirement for a particular occupation, may indicate that the occupation has acquired the characteristics of a learned profession.

§ 541.302 Creative professionals.

- (a) To qualify for the creative professional exemption, an employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor as opposed to routine mental, manual, mechanical or physical work. The exemption does not apply to work which can be produced by a person with general manual or intellectual ability and training.
- (b) To qualify for exemption as a creative professional, the work performed must be "in a recognized field of artistic or creative endeavor." This includes such fields as music, writing, acting and the graphic arts.
- (c) The requirement of "invention, imagination, originality or talent" distinguishes the creative professions from work that primarily depends on intelligence, diligence and accuracy. The duties of employees vary widely, and exemption as a creative professional depends on the extent of the invention, imagination, originality or talent exercised by the employee. Determination of exempt creative professional status, therefore, must be made on a case-by-case basis. This requirement generally is met by actors, musicians, composers, conductors, and soloists; painters who at most are given the subject matter of their painting; cartoonists who are merely told the title or underlying concept of a cartoon and must rely on their own creative ability to express the concept; essayists, novelists, short-story writers and screen-play writers who choose their own subjects and hand in a finished piece of work to their employers (the majority of such persons are, of course, not employees but self-employed); and persons holding the more responsible writing positions in advertising agencies. This requirement generally is not met by a person who is employed as a copyist, as an "animator" of motion-picture cartoons, or as a retoucher of photographs, since such work is not properly described as creative in character.

- (d) Journalists may satisfy the duties requirements for the creative professional exemption if their primary duty is work requiring invention, imagination, originality or talent, as opposed to work which depends primarily on intelligence, diligence and accuracy. Employees of newspapers, magazines, television and other media are not exempt creative professionals if they only collect, organize and record information that is routine or already public, or if they do not contribute a unique interpretation or analysis to a news product. Thus, for example, newspaper reporters who merely rewrite press releases or who write standard recounts of public information by gathering facts on routine community events are not exempt creative professionals. Reporters also do not qualify as exempt creative professionals if their work product is subject to substantial control by the employer. However, journalists may qualify as exempt creative professionals if their primary duty is performing on the air in radio, television or other electronic media; conducting investigative interviews; analyzing or interpreting public events; writing editorials, opinion columns or other commentary; or acting as a narrator or commentator.

§ 541.303 Teachers.

- (a) The term “employee employed in a bona fide professional capacity” in section 13(a)(1) of the Act also means any employee with a primary duty of teaching, tutoring, instructing or lecturing in the activity of imparting knowledge and who is employed and engaged in this activity as a teacher in an educational establishment by which the employee is employed. The term “educational establishment” is defined in § 541.204(b).
- (b) Exempt teachers include, but are not limited to: Regular academic teachers; teachers of kindergarten or nursery school pupils; teachers of gifted or disabled children; teachers of skilled and semi-skilled trades and occupations; teachers engaged in automobile driving instruction; aircraft flight instructors; home economics teachers; and vocal or instrumental music instructors. Those faculty members who are engaged as teachers but also spend a considerable amount of their time in extracurricular activities such as coaching athletic teams or acting as moderators or advisors in such areas as drama, speech, debate or journalism are engaged in teaching. Such activities are a recognized part of the schools' responsibility in contributing to the educational development of the student.
- (c) The possession of an elementary or secondary teacher's certificate provides a clear means of identifying the individuals contemplated as being within the scope of the exemption for teaching professionals. Teachers who possess a teaching certificate qualify for the exemption regardless of the terminology (e.g., permanent, conditional, standard, provisional, temporary, emergency, or unlimited) used by the State to refer to different kinds of certificates. However, private schools and public schools are not uniform in requiring a certificate for employment as an elementary or secondary school teacher, and a teacher's certificate is not generally necessary for employment in institutions of higher education or other educational establishments. Therefore, a teacher who is not certified may be considered for exemption, provided that such individual is employed as a teacher by the employing school or school system.
- (d) The requirements of § 541.300 and Subpart G (salary requirements) of this part do not apply to the teaching professionals described in this section.

§ 541.304 Practice of law or medicine.

- (a) The term “employee employed in a bona fide professional capacity” in section 13(a)(1) of the Act also shall mean:
- (1) Any employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and is actually engaged in the practice thereof; and

- (2) Any employee who is the holder of the requisite academic degree for the general practice of medicine and is engaged in an internship or resident program pursuant to the practice of the profession.
- (b) In the case of medicine, the exemption applies to physicians and other practitioners licensed and practicing in the field of medical science and healing or any of the medical specialties practiced by physicians or practitioners. The term “physicians” includes medical doctors including general practitioners and specialists, osteopathic physicians (doctors of osteopathy), podiatrists, dentists (doctors of dental medicine), and optometrists (doctors of optometry or bachelors of science in optometry).
- (c) Employees engaged in internship or resident programs, whether or not licensed to practice prior to commencement of the program, qualify as exempt professionals if they enter such internship or resident programs after the earning of the appropriate degree required for the general practice of their profession.
- (d) The requirements of § 541.300 and subpart G (salary requirements) of this part do not apply to the employees described in this section.

Subpart E—Computer Employees

§ 541.400 General rule for computer employees.

- (a) Computer systems analysts, computer programmers, software engineers or other similarly skilled workers in the computer field are eligible for exemption as professionals under section 13(a)(1) of the Act and under section 13(a)(17) of the Act. Because job titles vary widely and change quickly in the computer industry, job titles are not determinative of the applicability of this exemption.
- (b) The section 13(a)(1) exemption applies to any computer employee who is compensated on a salary or fee basis at a rate of not less than \$684 per week (or \$455 per week if employed in the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the U.S. Virgin Islands by employers other than the Federal government, or \$380 per week if employed in American Samoa by employers other than the Federal government), exclusive of board, lodging, or other facilities. The section 13(a)(17) exemption applies to any computer employee compensated on an hourly basis at a rate of not less than \$27.63 an hour. In addition, under either section 13(a)(1) or section 13(a)(17) of the Act, the exemptions apply only to computer employees whose primary duty consists of:
 - (1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
 - (2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - (3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
 - (4) A combination of the aforementioned duties, the performance of which requires the same level of skills.
- (c) The term “salary basis” is defined at § 541.602; “fee basis” is defined at § 541.605; “board, lodging or other facilities” is defined at § 541.606; and “primary duty” is defined at § 541.700.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32550, May 23, 2016; 84 FR 51306, Sept. 27, 2019]

§ 541.401 Computer manufacture and repair.

The exemption for employees in computer occupations does not include employees engaged in the manufacture or repair of computer hardware and related equipment. Employees whose work is highly dependent upon, or facilitated by, the use of computers and computer software programs (e.g., engineers, drafters and others skilled in computer-aided design software), but who are not primarily engaged in computer systems analysis and programming or other similarly skilled computer-related occupations identified in § 541.400(b), are also not exempt computer professionals.

§ 541.402 Executive and administrative computer employees.

Computer employees within the scope of this exemption, as well as those employees not within its scope, may also have executive and administrative duties which qualify the employees for exemption under subpart B or subpart C of this part. For example, systems analysts and computer programmers generally meet the duties requirements for the administrative exemption if their primary duty includes work such as planning, scheduling, and coordinating activities required to develop systems to solve complex business, scientific or engineering problems of the employer or the employer's customers. Similarly, a senior or lead computer programmer who manages the work of two or more other programmers in a customarily recognized department or subdivision of the employer, and whose recommendations as to the hiring, firing, advancement, promotion or other change of status of the other programmers are given particular weight, generally meets the duties requirements for the executive exemption.

Subpart F—Outside Sales Employees

§ 541.500 General rule for outside sales employees.

- (a) The term “employee employed in the capacity of outside salesman” in section 13(a)(1) of the Act shall mean any employee:
 - (1) Whose primary duty is:
 - (i) making sales within the meaning of section 3(k) of the Act, or
 - (ii) obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and
 - (2) Who is customarily and regularly engaged away from the employer's place or places of business in performing such primary duty.
- (b) The term “primary duty” is defined at § 541.700. In determining the primary duty of an outside sales employee, work performed incidental to and in conjunction with the employee's own outside sales or solicitations, including incidental deliveries and collections, shall be regarded as exempt outside sales work. Other work that furthers the employee's sales efforts also shall be regarded as exempt work including, for example, writing sales reports, updating or revising the employee's sales or display catalogue, planning itineraries and attending sales conferences.
- (c) The requirements of subpart G (salary requirements) of this part do not apply to the outside sales employees described in this section.

§ 541.501 Making sales or obtaining orders.

- (a) Section 541.500 requires that the employee be engaged in:
 - (1) Making sales within the meaning of section 3(k) of the Act, or

- (2) Obtaining orders or contracts for services or for the use of facilities.
- (b) Sales within the meaning of section 3(k) of the Act include the transfer of title to tangible property, and in certain cases, of tangible and valuable evidences of intangible property. Section 3(k) of the Act states that "sale" or "sell" includes any sale, exchange, contract to sell, consignment for sale, shipment for sale, or other disposition.
- (c) Exempt outside sales work includes not only the sales of commodities, but also "obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer." Obtaining orders for "the use of facilities" includes the selling of time on radio or television, the solicitation of advertising for newspapers and other periodicals, and the solicitation of freight for railroads and other transportation agencies.
- (d) The word "services" extends the outside sales exemption to employees who sell or take orders for a service, which may be performed for the customer by someone other than the person taking the order.

§ 541.502 Away from employer's place of business.

An outside sales employee must be customarily and regularly engaged "away from the employer's place or places of business." The outside sales employee is an employee who makes sales at the customer's place of business or, if selling door-to-door, at the customer's home. Outside sales does not include sales made by mail, telephone or the Internet unless such contact is used merely as an adjunct to personal calls. Thus, any fixed site, whether home or office, used by a salesperson as a headquarters or for telephonic solicitation of sales is considered one of the employer's places of business, even though the employer is not in any formal sense the owner or tenant of the property. However, an outside sales employee does not lose the exemption by displaying samples in hotel sample rooms during trips from city to city; these sample rooms should not be considered as the employer's places of business. Similarly, an outside sales employee does not lose the exemption by displaying the employer's products at a trade show. If selling actually occurs, rather than just sales promotion, trade shows of short duration (*i.e.*, one or two weeks) should not be considered as the employer's place of business.

§ 541.503 Promotion work.

- (a) Promotion work is one type of activity often performed by persons who make sales, which may or may not be exempt outside sales work, depending upon the circumstances under which it is performed. Promotional work that is actually performed incidental to and in conjunction with an employee's own outside sales or solicitations is exempt work. On the other hand, promotional work that is incidental to sales made, or to be made, by someone else is not exempt outside sales work. An employee who does not satisfy the requirements of this subpart may still qualify as an exempt employee under other subparts of this rule.
- (b) A manufacturer's representative, for example, may perform various types of promotional activities such as putting up displays and posters, removing damaged or spoiled stock from the merchant's shelves or rearranging the merchandise. Such an employee can be considered an exempt outside sales employee if the employee's primary duty is making sales or contracts. Promotion activities directed toward consummation of the employee's own sales are exempt. Promotional activities designed to stimulate sales that will be made by someone else are not exempt outside sales work.
- (c) Another example is a company representative who visits chain stores, arranges the merchandise on shelves, replenishes stock by replacing old with new merchandise, sets up displays and consults with the store manager when inventory runs low, but does not obtain a commitment for additional purchases. The arrangement of merchandise on the shelves or the replenishing of stock is not exempt work unless it is

incidental to and in conjunction with the employee's own outside sales. Because the employee in this instance does not consummate the sale nor direct efforts toward the consummation of a sale, the work is not exempt outside sales work.

§ 541.504 Drivers who sell.

- (a) Drivers who deliver products and also sell such products may qualify as exempt outside sales employees only if the employee has a primary duty of making sales. In determining the primary duty of drivers who sell, work performed incidental to and in conjunction with the employee's own outside sales or solicitations, including loading, driving or delivering products, shall be regarded as exempt outside sales work.
- (b) Several factors should be considered in determining if a driver has a primary duty of making sales, including, but not limited to: a comparison of the driver's duties with those of other employees engaged as truck drivers and as salespersons; possession of a selling or solicitor's license when such license is required by law or ordinances; presence or absence of customary or contractual arrangements concerning amounts of products to be delivered; description of the employee's occupation in collective bargaining agreements; the employer's specifications as to qualifications for hiring; sales training; attendance at sales conferences; method of payment; and proportion of earnings directly attributable to sales.
- (c) Drivers who may qualify as exempt outside sales employees include:
 - (1) A driver who provides the only sales contact between the employer and the customers visited, who calls on customers and takes orders for products, who delivers products from stock in the employee's vehicle or procures and delivers the product to the customer on a later trip, and who receives compensation commensurate with the volume of products sold.
 - (2) A driver who obtains or solicits orders for the employer's products from persons who have authority to commit the customer for purchases.
 - (3) A driver who calls on new prospects for customers along the employee's route and attempts to convince them of the desirability of accepting regular delivery of goods.
 - (4) A driver who calls on established customers along the route and persuades regular customers to accept delivery of increased amounts of goods or of new products, even though the initial sale or agreement for delivery was made by someone else.
- (d) Drivers who generally would not qualify as exempt outside sales employees include:
 - (1) A route driver whose primary duty is to transport products sold by the employer through vending machines and to keep such machines stocked, in good operating condition, and in good locations.
 - (2) A driver who often calls on established customers day after day or week after week, delivering a quantity of the employer's products at each call when the sale was not significantly affected by solicitations of the customer by the delivering driver or the amount of the sale is determined by the volume of the customer's sales since the previous delivery.
 - (3) A driver primarily engaged in making deliveries to customers and performing activities intended to promote sales by customers (including placing point-of-sale and other advertising materials, price stamping commodities, arranging merchandise on shelves, in coolers or in cabinets, rotating stock according to date, and cleaning and otherwise servicing display cases), unless such work is in furtherance of the driver's own sales efforts.

Subpart G—Salary Requirements

§ 541.600 Amount of salary required.

- (a) To qualify as an exempt executive, administrative or professional employee under section 13(a)(1) of the Act, an employee must be compensated on a salary basis at a rate of not less than \$684 per week (or \$455 per week if employed in the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the U.S. Virgin Islands by employers other than the Federal Government, or \$380 per week if employed in American Samoa by employers other than the Federal Government), exclusive of board, lodging or other facilities. Administrative and professional employees may also be paid on a fee basis, as defined in § 541.605.
- (b) The required amount of compensation per week may be translated into equivalent amounts for periods longer than one week. For example, the \$684-per-week requirement will be met if the employee is compensated biweekly on a salary basis of not less than \$1,368, semimonthly on a salary basis of not less than \$1,482, or monthly on a salary basis of not less than \$2,964. However, the shortest period of payment that will meet this compensation requirement is one week.
- (c) In the case of academic administrative employees, the compensation requirement also may be met by compensation on a salary basis at a rate at least equal to the entrance salary for teachers in the educational establishment by which the employee is employed, as provided in § 541.204(a)(1).
- (d) In the case of computer employees, the compensation requirement also may be met by compensation on an hourly basis at a rate not less than \$27.63 an hour, as provided in § 541.400(b).
- (e) In the case of professional employees, the compensation requirements in this section shall not apply to employees engaged as teachers (see § 541.303); employees who hold a valid license or certificate permitting the practice of law or medicine or any of their branches and are actually engaged in the practice thereof (see § 541.304); or to employees who hold the requisite academic degree for the general practice of medicine and are engaged in an internship or resident program pursuant to the practice of the profession (see § 541.304). In the case of medical occupations, the exception from the salary or fee requirement does not apply to pharmacists, nurses, therapists, technologists, sanitarians, dietitians, social workers, psychologists, psychometrists, or other professions which service the medical profession.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32550, May 23, 2016; 84 FR 51306, Sept. 27, 2019]

§ 541.601 Highly compensated employees.

- (a)
 - (1) Beginning on January 1, 2020, an employee with total annual compensation of at least \$107,432 is deemed exempt under section 13(a)(1) of the Act if the employee customarily and regularly performs any one or more of the exempt duties or responsibilities of an executive, administrative or professional employee as identified in subparts B, C or D of this part.
 - (2) Where the annual period covers periods both prior to and after January 1, 2020, the amount of total annual compensation due will be determined on a proportional basis.
- (b)

- (1) "Total annual compensation" must include at least \$684 per week paid on a salary or fee basis as set forth in §§ 541.602 and 541.605, except that § 541.602(a)(3) shall not apply to highly compensated employees. Total annual compensation may also include commissions, nondiscretionary bonuses and other nondiscretionary compensation earned during a 52-week period. Total annual compensation does not include board, lodging and other facilities as defined in § 541.606, and does not include payments for medical insurance, payments for life insurance, contributions to retirement plans and the cost of other fringe benefits.
 - (2) If an employee's total annual compensation does not total at least the amount specified in the applicable subsection of paragraph (a) by the last pay period of the 52-week period, the employer may, during the last pay period or within one month after the end of the 52-week period, make one final payment sufficient to achieve the required level. For example, for a 52-week period beginning January 1, 2020, an employee may earn \$90,000 in base salary, and the employer may anticipate based upon past sales that the employee also will earn \$17,432 in commissions. However, due to poor sales in the final quarter of the year, the employee actually only earns \$12,000 in commissions. In this situation, the employer may within one month after the end of the year make a payment of at least \$5,432 to the employee. Any such final payment made after the end of the 52-week period may count only toward the prior year's total annual compensation and not toward the total annual compensation in the year it was paid. If the employer fails to make such a payment, the employee does not qualify as a highly compensated employee, but may still qualify as exempt under subparts B, C, or D of this part.
 - (3) An employee who does not work a full year for the employer, either because the employee is newly hired after the beginning of the year or ends the employment before the end of the year, may qualify for exemption under this section if the employee receives a *pro rata* portion of the minimum amount established in paragraph (a) of this section, based upon the number of weeks that the employee will be or has been employed. An employer may make one final payment as under paragraph (b)(2) of this section within one month after the end of employment.
 - (4) The employer may utilize any 52-week period as the year, such as a calendar year, a fiscal year, or an anniversary of hire year. If the employer does not identify some other year period in advance, the calendar year will apply.
- (c) A high level of compensation is a strong indicator of an employee's exempt status, thus eliminating the need for a detailed analysis of the employee's job duties. Thus, a highly compensated employee will qualify for exemption if the employee customarily and regularly performs any one or more of the exempt duties or responsibilities of an executive, administrative or professional employee identified in subparts B, C or D of this part. An employee may qualify as a highly compensated executive employee, for example, if the employee customarily and regularly directs the work of two or more other employees, even though the employee does not meet all of the other requirements for the executive exemption under § 541.100.
- (d) This section applies only to employees whose primary duty includes performing office or non-manual work. Thus, for example, non-management production-line workers and non-management employees in maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers, laborers and other employees who perform work involving repetitive operations with their hands, physical skill and energy are not exempt under this section no matter how highly paid they might be.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32550, May 23, 2016; 84 FR 51307, Sept. 27, 2019; 85 FR 34969, June 8, 2020]

§ 541.602 Salary basis.

- (a) **General rule.** An employee will be considered to be paid on a “salary basis” within the meaning of this part if the employee regularly receives each pay period on a weekly, or less frequent basis, a predetermined amount constituting all or part of the employee's compensation, which amount is not subject to reduction because of variations in the quality or quantity of the work performed.
- (1) Subject to the exceptions provided in paragraph (b) of this section, an exempt employee must receive the full salary for any week in which the employee performs any work without regard to the number of days or hours worked. Exempt employees need not be paid for any workweek in which they perform no work.
 - (2) An employee is not paid on a salary basis if deductions from the employee's predetermined compensation are made for absences occasioned by the employer or by the operating requirements of the business. If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.
 - (3) Up to ten percent of the salary amount required by § 541.600(a) may be satisfied by the payment of nondiscretionary bonuses, incentives and commissions, that are paid annually or more frequently. The employer may utilize any 52-week period as the year, such as a calendar year, a fiscal year, or an anniversary of hire year. If the employer does not identify some other year period in advance, the calendar year will apply. This provision does not apply to highly compensated employees under § 541.601.
 - (i) If by the last pay period of the 52-week period the sum of the employee's weekly salary plus nondiscretionary bonus, incentive, and commission payments received is less than 52 times the weekly salary amount required by § 541.600(a), the employer may make one final payment sufficient to achieve the required level no later than the next pay period after the end of the year. Any such final payment made after the end of the 52-week period may count only toward the prior year's salary amount and not toward the salary amount in the year it was paid.
 - (ii) An employee who does not work a full 52-week period for the employer, either because the employee is newly hired after the beginning of this period or ends the employment before the end of this period, may qualify for exemption if the employee receives a *pro rata* portion of the minimum amount established in paragraph (a)(3) of this section, based upon the number of weeks that the employee will be or has been employed. An employer may make one final payment as under paragraph (a)(3)(i) of this section within one pay period after the end of employment.
- (b) **Exceptions.** The prohibition against deductions from pay in the salary basis requirement is subject to the following exceptions:
- (1) Deductions from pay may be made when an exempt employee is absent from work for one or more full days for personal reasons, other than sickness or disability. Thus, if an employee is absent for two full days to handle personal affairs, the employee's salaried status will not be affected if deductions are made from the salary for two full-day absences. However, if an exempt employee is absent for one and a half days for personal reasons, the employer can deduct only for the one full-day absence.
 - (2) Deductions from pay may be made for absences of one or more full days occasioned by sickness or disability (including work-related accidents) if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for loss of salary occasioned by such sickness or

disability. The employer is not required to pay any portion of the employee's salary for full-day absences for which the employee receives compensation under the plan, policy or practice. Deductions for such full-day absences also may be made before the employee has qualified under the plan, policy or practice, and after the employee has exhausted the leave allowance thereunder. Thus, for example, if an employer maintains a short-term disability insurance plan providing salary replacement for 12 weeks starting on the fourth day of absence, the employer may make deductions from pay for the three days of absence before the employee qualifies for benefits under the plan; for the twelve weeks in which the employee receives salary replacement benefits under the plan; and for absences after the employee has exhausted the 12 weeks of salary replacement benefits. Similarly, an employer may make deductions from pay for absences of one or more full days if salary replacement benefits are provided under a State disability insurance law or under a State workers' compensation law.

- (3) While an employer cannot make deductions from pay for absences of an exempt employee occasioned by jury duty, attendance as a witness or temporary military leave, the employer can offset any amounts received by an employee as jury fees, witness fees or military pay for a particular week against the salary due for that particular week without loss of the exemption.
 - (4) Deductions from pay of exempt employees may be made for penalties imposed in good faith for infractions of safety rules of major significance. Safety rules of major significance include those relating to the prevention of serious danger in the workplace or to other employees, such as rules prohibiting smoking in explosive plants, oil refineries and coal mines.
 - (5) Deductions from pay of exempt employees may be made for unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace conduct rules. Such suspensions must be imposed pursuant to a written policy applicable to all employees. Thus, for example, an employer may suspend an exempt employee without pay for three days for violating a generally applicable written policy prohibiting sexual harassment. Similarly, an employer may suspend an exempt employee without pay for twelve days for violating a generally applicable written policy prohibiting workplace violence.
 - (6) An employer is not required to pay the full salary in the initial or terminal week of employment. Rather, an employer may pay a proportionate part of an employee's full salary for the time actually worked in the first and last week of employment. In such weeks, the payment of an hourly or daily equivalent of the employee's full salary for the time actually worked will meet the requirement. However, employees are not paid on a salary basis within the meaning of these regulations if they are employed occasionally for a few days, and the employer pays them a proportionate part of the weekly salary when so employed.
 - (7) An employer is not required to pay the full salary for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. Rather, when an exempt employee takes unpaid leave under the Family and Medical Leave Act, an employer may pay a proportionate part of the full salary for time actually worked. For example, if an employee who normally works 40 hours per week uses four hours of unpaid leave under the Family and Medical Leave Act, the employer could deduct 10 percent of the employee's normal salary that week.
- (c) When calculating the amount of a deduction from pay allowed under paragraph (b) of this section, the employer may use the hourly or daily equivalent of the employee's full weekly salary or any other amount proportional to the time actually missed by the employee. A deduction from pay as a penalty for violations of major safety rules under paragraph (b)(4) of this section may be made in any amount.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32550, May 23, 2016; 84 FR 51307, Sept. 27, 2019]

§ 541.603 Effect of improper deductions from salary.

- (a) An employer who makes improper deductions from salary shall lose the exemption if the facts demonstrate that the employer did not intend to pay employees on a salary basis. An actual practice of making improper deductions demonstrates that the employer did not intend to pay employees on a salary basis. The factors to consider when determining whether an employer has an actual practice of making improper deductions include, but are not limited to: the number of improper deductions, particularly as compared to the number of employee infractions warranting discipline; the time period during which the employer made improper deductions; the number and geographic location of employees whose salary was improperly reduced; the number and geographic location of managers responsible for taking the improper deductions; and whether the employer has a clearly communicated policy permitting or prohibiting improper deductions.
- (b) If the facts demonstrate that the employer has an actual practice of making improper deductions, the exemption is lost during the time period in which the improper deductions were made for employees in the same job classification working for the same managers responsible for the actual improper deductions. Employees in different job classifications or who work for different managers do not lose their status as exempt employees. Thus, for example, if a manager at a company facility routinely docks the pay of engineers at that facility for partial-day personal absences, then all engineers at that facility whose pay could have been improperly docked by the manager would lose the exemption; engineers at other facilities or working for other managers, however, would remain exempt.
- (c) Improper deductions that are either isolated or inadvertent will not result in loss of the exemption for any employees subject to such improper deductions, if the employer reimburses the employees for such improper deductions.
- (d) If an employer has a clearly communicated policy that prohibits the improper pay deductions specified in § 541.602(a) and includes a complaint mechanism, reimburses employees for any improper deductions and makes a good faith commitment to comply in the future, such employer will not lose the exemption for any employees unless the employer willfully violates the policy by continuing to make improper deductions after receiving employee complaints. If an employer fails to reimburse employees for any improper deductions or continues to make improper deductions after receiving employee complaints, the exemption is lost during the time period in which the improper deductions were made for employees in the same job classification working for the same managers responsible for the actual improper deductions. The best evidence of a clearly communicated policy is a written policy that was distributed to employees prior to the improper pay deductions by, for example, providing a copy of the policy to employees at the time of hire, publishing the policy in an employee handbook or publishing the policy on the employer's Intranet.
- (e) This section shall not be construed in an unduly technical manner so as to defeat the exemption.

§ 541.604 Minimum guarantee plus extras.

- (a) An employer may provide an exempt employee with additional compensation without losing the exemption or violating the salary basis requirement, if the employment arrangement also includes a guarantee of at least the minimum weekly-required amount paid on a salary basis. Thus, for example, an exempt employee guaranteed at least \$684 each week paid on a salary basis may also receive additional compensation of a one percent commission on sales. An exempt employee also may receive a percentage of the sales or profits of the employer if the employment arrangement also includes a

guarantee of at least \$684 each week paid on a salary basis. Similarly, the exemption is not lost if an exempt employee who is guaranteed at least \$684 each week paid on a salary basis also receives additional compensation based on hours worked for work beyond the normal workweek. Such additional compensation may be paid on any basis (e.g., flat sum, bonus payment, straight-time hourly amount, time and one-half or any other basis), and may include paid time off.

- (b) An exempt employee's earnings may be computed on an hourly, a daily or a shift basis, without losing the exemption or violating the salary basis requirement, if the employment arrangement also includes a guarantee of at least the minimum weekly required amount paid on a salary basis regardless of the number of hours, days or shifts worked, and a reasonable relationship exists between the guaranteed amount and the amount actually earned. The reasonable relationship test will be met if the weekly guarantee is roughly equivalent to the employee's usual earnings at the assigned hourly, daily or shift rate for the employee's normal scheduled workweek. Thus, for example, an exempt employee guaranteed compensation of at least \$725 for any week in which the employee performs any work, and who normally works four or five shifts each week, may be paid \$210 per shift without violating the \$684-per-week salary basis requirement. The reasonable relationship requirement applies only if the employee's pay is computed on an hourly, daily or shift basis. It does not apply, for example, to an exempt store manager paid a guaranteed salary per week that exceeds the current salary level who also receives a commission of one-half percent of all sales in the store or five percent of the store's profits, which in some weeks may total as much as, or even more than, the guaranteed salary.

[84 FR 51307, Sept. 27, 2019]

§ 541.605 Fee basis.

- (a) Administrative and professional employees may be paid on a fee basis, rather than on a salary basis. An employee will be considered to be paid on a "fee basis" within the meaning of these regulations if the employee is paid an agreed sum for a single job regardless of the time required for its completion. These payments resemble piecework payments with the important distinction that generally a "fee" is paid for the kind of job that is unique rather than for a series of jobs repeated an indefinite number of times and for which payment on an identical basis is made over and over again. Payments based on the number of hours or days worked and not on the accomplishment of a given single task are not considered payments on a fee basis.
- (b) To determine whether the fee payment meets the minimum amount of salary required for exemption under these regulations, the amount paid to the employee will be tested by determining the time worked on the job and whether the fee payment is at a rate that would amount to at least the minimum salary per week, as required by §§ 541.600(a) and 541.602(a), if the employee worked 40 hours. Thus, an artist paid \$350 for a picture that took 20 hours to complete meets the \$684 minimum salary requirement for exemption since earnings at this rate would yield the artist \$700 if 40 hours were worked.

[69 FR 22260, Apr. 23, 2004, as amended at 81 FR 32551, May 23, 2016; 84 FR 51308, Sept. 27, 2019]

§ 541.606 Board, lodging or other facilities.

- (a) To qualify for exemption under section 13(a)(1) of the Act, an employee must earn the minimum salary amount set forth in § 541.600, "exclusive of board, lodging or other facilities." The phrase "exclusive of board, lodging or other facilities" means "free and clear" or independent of any claimed credit for non-cash items of value that an employer may provide to an employee. Thus, the costs incurred by an

employer to provide an employee with board, lodging or other facilities may not count towards the minimum salary amount required for exemption under this part 541. Such separate transactions are not prohibited between employers and their exempt employees, but the costs to employers associated with such transactions may not be considered when determining if an employee has received the full required minimum salary payment.

- (b) Regulations defining what constitutes “board, lodging, or other facilities” are contained in 29 CFR part 531. As described in 29 CFR 531.32, the term “other facilities” refers to items similar to board and lodging, such as meals furnished at company restaurants or cafeterias or by hospitals, hotels, or restaurants to their employees; meals, dormitory rooms, and tuition furnished by a college to its student employees; merchandise furnished at company stores or commissaries, including articles of food, clothing, and household effects; housing furnished for dwelling purposes; and transportation furnished to employees for ordinary commuting between their homes and work.

§ 541.607 [Reserved]

Subpart H—Definitions and Miscellaneous Provisions

§ 541.700 Primary duty.

- (a) To qualify for exemption under this part, an employee's “primary duty” must be the performance of exempt work. The term “primary duty” means the principal, main, major or most important duty that the employee performs. Determination of an employee's primary duty must be based on all the facts in a particular case, with the major emphasis on the character of the employee's job as a whole. Factors to consider when determining the primary duty of an employee include, but are not limited to, the relative importance of the exempt duties as compared with other types of duties; the amount of time spent performing exempt work; the employee's relative freedom from direct supervision; and the relationship between the employee's salary and the wages paid to other employees for the kind of nonexempt work performed by the employee.
- (b) The amount of time spent performing exempt work can be a useful guide in determining whether exempt work is the primary duty of an employee. Thus, employees who spend more than 50 percent of their time performing exempt work will generally satisfy the primary duty requirement. Time alone, however, is not the sole test, and nothing in this section requires that exempt employees spend more than 50 percent of their time performing exempt work. Employees who do not spend more than 50 percent of their time performing exempt duties may nonetheless meet the primary duty requirement if the other factors support such a conclusion.
- (c) Thus, for example, assistant managers in a retail establishment who perform exempt executive work such as supervising and directing the work of other employees, ordering merchandise, managing the budget and authorizing payment of bills may have management as their primary duty even if the assistant managers spend more than 50 percent of the time performing nonexempt work such as running the cash register. However, if such assistant managers are closely supervised and earn little more than the nonexempt employees, the assistant managers generally would not satisfy the primary duty requirement.

§ 541.701 Customarily and regularly.

The phrase “customarily and regularly” means a frequency that must be greater than occasional but which, of course, may be less than constant. Tasks or work performed “customarily and regularly” includes work normally and recurrently performed every workweek; it does not include isolated or one-time tasks.

§ 541.702 Exempt and nonexempt work.

The term “exempt work” means all work described in §§ 541.100, 541.101, 541.200, 541.300, 541.301, 541.302, 541.303, 541.304, 541.400 and 541.500, and the activities directly and closely related to such work. All other work is considered “nonexempt.”

§ 541.703 Directly and closely related.

- (a) Work that is “directly and closely related” to the performance of exempt work is also considered exempt work. The phrase “directly and closely related” means tasks that are related to exempt duties and that contribute to or facilitate performance of exempt work. Thus, “directly and closely related” work may include physical tasks and menial tasks that arise out of exempt duties, and the routine work without which the exempt employee’s exempt work cannot be performed properly. Work “directly and closely related” to the performance of exempt duties may also include recordkeeping; monitoring and adjusting machinery; taking notes; using the computer to create documents or presentations; opening the mail for the purpose of reading it and making decisions; and using a photocopier or fax machine. Work is not “directly and closely related” if the work is remotely related or completely unrelated to exempt duties.
- (b) The following examples further illustrate the type of work that is and is not normally considered as directly and closely related to exempt work:
 - (1) Keeping time, production or sales records for subordinates is work directly and closely related to an exempt executive’s function of managing a department and supervising employees.
 - (2) The distribution of materials, merchandise or supplies to maintain control of the flow of and expenditures for such items is directly and closely related to the performance of exempt duties.
 - (3) A supervisor who spot checks and examines the work of subordinates to determine whether they are performing their duties properly, and whether the product is satisfactory, is performing work which is directly and closely related to managerial and supervisory functions, so long as the checking is distinguishable from the work ordinarily performed by a nonexempt inspector.
 - (4) A supervisor who sets up a machine may be engaged in exempt work, depending upon the nature of the industry and the operation. In some cases the setup work, or adjustment of the machine for a particular job, is typically performed by the same employees who operate the machine. Such setup work is part of the production operation and is not exempt. In other cases, the setting up of the work is a highly skilled operation which the ordinary production worker or machine tender typically does not perform. In large plants, non-supervisors may perform such work. However, particularly in small plants, such work may be a regular duty of the executive and is directly and closely related to the executive’s responsibility for the work performance of subordinates and for the adequacy of the final product. Under such circumstances, it is exempt work.
 - (5) A department manager in a retail or service establishment who walks about the sales floor observing the work of sales personnel under the employee’s supervision to determine the effectiveness of their sales techniques, checks on the quality of customer service being given, or observes customer preferences is performing work which is directly and closely related to managerial and supervisory functions.
 - (6) A business consultant may take extensive notes recording the flow of work and materials through the office or plant of the client; after returning to the office of the employer, the consultant may personally use the computer to type a report and create a proposed table of organization. Standing alone, or separated from the primary duty, such note-taking and typing would be routine in nature.

However, because this work is necessary for analyzing the data and making recommendations, the work is directly and closely related to exempt work. While it is possible to assign note-taking and typing to nonexempt employees, and in fact it is frequently the practice to do so, delegating such routine tasks is not required as a condition of exemption.

- (7) A credit manager who makes and administers the credit policy of the employer, establishes credit limits for customers, authorizes the shipment of orders on credit, and makes decisions on whether to exceed credit limits would be performing work exempt under § 541.200. Work that is directly and closely related to these exempt duties may include checking the status of accounts to determine whether the credit limit would be exceeded by the shipment of a new order, removing credit reports from the files for analysis, and writing letters giving credit data and experience to other employers or credit agencies.
- (8) A traffic manager in charge of planning a company's transportation, including the most economical and quickest routes for shipping merchandise to and from the plant, contracting for common-carrier and other transportation facilities, negotiating with carriers for adjustments for damages to merchandise, and making the necessary rearrangements resulting from delays, damages or irregularities in transit, is performing exempt work. If the employee also spends part of the day taking telephone orders for local deliveries, such order-taking is a routine function and is not directly and closely related to the exempt work.
- (9) An example of work directly and closely related to exempt professional duties is a chemist performing menial tasks such as cleaning a test tube in the middle of an original experiment, even though such menial tasks can be assigned to laboratory assistants.
- (10) A teacher performs work directly and closely related to exempt duties when, while taking students on a field trip, the teacher drives a school van or monitors the students' behavior in a restaurant.

§ 541.704 Use of manuals.

The use of manuals, guidelines or other established procedures containing or relating to highly technical, scientific, legal, financial or other similarly complex matters that can be understood or interpreted only by those with advanced or specialized knowledge or skills does not preclude exemption under section 13(a)(1) of the Act or the regulations in this part. Such manuals and procedures provide guidance in addressing difficult or novel circumstances and thus use of such reference material would not affect an employee's exempt status. The section 13(a)(1) exemptions are not available, however, for employees who simply apply well-established techniques or procedures described in manuals or other sources within closely prescribed limits to determine the correct response to an inquiry or set of circumstances.

§ 541.705 Trainees.

The executive, administrative, professional, outside sales and computer employee exemptions do not apply to employees training for employment in an executive, administrative, professional, outside sales or computer employee capacity who are not actually performing the duties of an executive, administrative, professional, outside sales or computer employee.

§ 541.706 Emergencies.

- (a) An exempt employee will not lose the exemption by performing work of a normally nonexempt nature because of the existence of an emergency. Thus, when emergencies arise that threaten the safety of employees, a cessation of operations or serious damage to the employer's property, any work performed in an effort to prevent such results is considered exempt work.
- (b) An "emergency" does not include occurrences that are not beyond control or for which the employer can reasonably provide in the normal course of business. Emergencies generally occur only rarely, and are events that the employer cannot reasonably anticipate.
- (c) The following examples illustrate the distinction between emergency work considered exempt work and routine work that is not exempt work:
 - (1) A mine superintendent who pitches in after an explosion and digs out workers who are trapped in the mine is still a bona fide executive.
 - (2) Assisting nonexempt employees with their work during periods of heavy workload or to handle rush orders is not exempt work.
 - (3) Replacing a nonexempt employee during the first day or partial day of an illness may be considered exempt emergency work depending on factors such as the size of the establishment and of the executive's department, the nature of the industry, the consequences that would flow from the failure to replace the ailing employee immediately, and the feasibility of filling the employee's place promptly.
 - (4) Regular repair and cleaning of equipment is not emergency work, even when necessary to prevent fire or explosion; however, repairing equipment may be emergency work if the breakdown of or damage to the equipment was caused by accident or carelessness that the employer could not reasonably anticipate.

§ 541.707 Occasional tasks.

Occasional, infrequently recurring tasks that cannot practicably be performed by nonexempt employees, but are the means for an exempt employee to properly carry out exempt functions and responsibilities, are considered exempt work. The following factors should be considered in determining whether such work is exempt work: Whether the same work is performed by any of the exempt employee's subordinates; practicability of delegating the work to a nonexempt employee; whether the exempt employee performs the task frequently or occasionally; and existence of an industry practice for the exempt employee to perform the task.

§ 541.708 Combination exemptions.

Employees who perform a combination of exempt duties as set forth in the regulations in this part for executive, administrative, professional, outside sales and computer employees may qualify for exemption. Thus, for example, an employee whose primary duty involves a combination of exempt administrative and exempt executive work may qualify for exemption. In other words, work that is exempt under one section of this part will not defeat the exemption under any other section.

§ 541.709 Motion picture producing industry.

The requirement that the employee be paid “on a salary basis” does not apply to an employee in the motion picture producing industry who is compensated at a base rate of at least \$1,043 per week (exclusive of board, lodging, or other facilities). Thus, an employee in this industry who is otherwise exempt under subparts B, C, or D of this part, and who is employed at a base rate of at least the applicable current minimum amount a week is exempt if paid a proportionate amount (based on a week of not more than 6 days) for any week in which the employee does not work a full workweek for any reason. Moreover, an otherwise exempt employee in this industry qualifies for exemption if the employee is employed at a daily rate under the following circumstances:

- (a) The employee is in a job category for which a weekly base rate is not provided and the daily base rate would yield at least the minimum weekly amount if 6 days were worked; or
- (b) The employee is in a job category having the minimum weekly base rate and the daily base rate is at least one-sixth of such weekly base rate.

[81 FR 32552, May 23, 2016, as amended at 84 FR 51308, Sept. 27, 2019]

§ 541.710 Employees of public agencies.

- (a) An employee of a public agency who otherwise meets the salary basis requirements of § 541.602 shall not be disqualified from exemption under §§ 541.100, 541.200, 541.300 or 541.400 on the basis that such employee is paid according to a pay system established by statute, ordinance or regulation, or by a policy or practice established pursuant to principles of public accountability, under which the employee accrues personal leave and sick leave and which requires the public agency employee's pay to be reduced or such employee to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work-day when accrued leave is not used by an employee because:
 - (1) Permission for its use has not been sought or has been sought and denied;
 - (2) Accrued leave has been exhausted; or
 - (3) The employee chooses to use leave without pay.
- (b) Deductions from the pay of an employee of a public agency for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

Fair Labor Standards Act (FLSA) Coverage (Exempt vs. Non-Exempt) -- The Online Wages, Hours and Overtime Pay Resource

Coverage under the FLSA

Most jobs are governed by the FLSA. Some are not. Some jobs are excluded from FLSA coverage by statute. Other jobs, while governed by the FLSA, are considered "exempt" from the FLSA overtime rules.

Exclusions from FLSA coverage.

Particular jobs may be completely excluded from coverage under the FLSA overtime rules. There are two general types of complete exclusion. Some jobs are specifically excluded in the statute itself. For example, employees of movie theaters and many agricultural workers are not governed by the FLSA overtime rules. Another type of exclusion is for jobs which are governed by some other specific federal labor law. As a general rule, if a job is governed by some other federal labor law, the FLSA does not apply. For example, most railroad workers are governed by the Railway Labor Act, and many truck drivers are governed by the Motor Carriers Act, and not the FLSA. Many of FLSA exclusions are found in §213 of the FLSA.

Exempt or Nonexempt.

Employees whose jobs are governed by the FLSA are either "exempt" or "nonexempt." Nonexempt employees are entitled to overtime pay. Exempt employees are not. Most employees covered by the FLSA are nonexempt. Some are not.

Some jobs are classified as exempt by definition. For example, "outside sales" employees are exempt ("inside sales" employees are nonexempt). For most employees, however, whether they are exempt or nonexempt depends on (a) how much they are paid, (b) how they are paid, and (c) what kind of work they do.

With few exceptions, to be exempt an employee must (a) be paid at least \$23,600 per year (\$455 per week), and (b) be paid on a salary basis, and also (c) perform exempt job duties. These requirements are outlined in the FLSA Regulations (promulgated by the U.S. Department of Labor). Most employees must meet all three "tests" to be exempt.

Salary level test.

Employees who are paid less than \$23,600 per year (\$455 per week) are nonexempt. (Employees who earn more than \$100,000 per year are almost certainly exempt.)

Salary basis test.

Generally, an employee is paid on a salary basis if s/he has a "guaranteed minimum" amount of money s/he can count on receiving for any work week in which s/he performs "any" work. This amount need not be the entire compensation received, but there must be some amount of pay the employee can count on receiving in any work week in which s/he performs any work. Some "rules of thumb" indicating that an employee is paid on a salary basis include whether an

employee's base pay is computed from an annual figure divided by the number of paydays in year, or whether an employee's actual pay is lower in work periods when s/he works fewer than the normal number of hours. However, whether an employee is paid on a salary basis is a "fact," and thus specific evaluation of particular circumstances is necessary. Whether an employee is paid on a salary basis is not affected by whether pay is expressed in hourly terms (as this is a fairly common requirement of many payroll computer programs), but whether the employee in fact has a "guaranteed minimum" amount of pay s/he can count on.

The FLSA salary basis test applies only to reductions in monetary amounts. Requiring an employee to charge absences from work to leave accruals is not a reduction in "pay," because the monetary amount of the employee's paycheck remains the same. Similarly, paying an employee more than the guaranteed salary amount is not normally inconsistent with salary basis status, because this does not result in any reduction in the base pay.

With some exceptions, the base pay of a salary basis employee may not be reduced based on the "quality or quantity" of work performed (provided that the employee does "some" work in the work period). This usually means that the base pay of a salary basis employee may not be reduced if s/he performs less work than normal, if the reason for that is determined by the employer. For example, a salary basis pay employee's base pay may not be reduced if there is "no work" to be performed (such as for a plant closing or slow period), and a salary basis employee's base pay may not be reduced for partial day absences. However, employers may "dock" the base pay of salary basis employees in full day increments, for disciplinary suspensions, or for personal leave, or for sickness under a bona fide sick leave plan (as for example if the employee has run out of accrued sick leave).

Thus, there can be "permissible" and "impermissible" reductions in salary basis pay. Permissible reductions have no effect on the employee's exempt status. Impermissible reductions may, in that the general rule is that an employee who is subjected to impermissible reductions in salary is no longer paid on a salary basis, and is therefore nonexempt. However, employers have several avenues by which they can "cure" impermissible reductions in salary basis pay, and as a practical matter these make it unlikely that an otherwise exempt employee would become nonexempt because of salary basis pay problems. The salary basis pay requirement for exempt status does not apply to some jobs (for example, doctors, lawyers and schoolteachers are exempt even if the employees are paid hourly).

The duties tests.

An employee who meets the salary level tests and also the salary basis tests is exempt only if s/he also performs exempt job duties. These FLSA exemptions are limited to employees who perform relatively high-level work. Whether the duties of a particular job qualify as exempt depends on what they are. Job titles or position descriptions are of limited usefulness in this determination. (A secretary is still a secretary even if s/he is called an "administrative assistant," and the chief executive officer is still the CEO even if s/he is called a janitor.) It is the actual job tasks that must be evaluated, along with how the particular job tasks "fit" into the employer's overall operations.

There are three typical categories of exempt job duties, called "executive," "professional," and "administrative."

Exempt executive job duties.

Job duties are exempt executive job duties if the employee

1. regularly supervises two or more other employees, and also

2. has management as the primary duty of the position, and also,
3. has some genuine input into the job status of other employees (such as hiring, firing, promotions, or assignments).

Supervision means what it implies. The supervision must be a regular part of the employee's job, and must be of other employees. Supervision of non-employees does not meet the standard. The "two employees" requirement may be met by supervising two full-time employees or the equivalent number of part-time employees. (Two half-time employees equal one full-time employee.)

"Mere supervision" is not sufficient. In addition, the supervisory employee must have "management" as the "primary duty" of the job. The FLSA Regulations contain a list of typical management duties. These include (in addition to supervision):

- interviewing, selecting, and training employees;
- setting rates of pay and hours of work;
- maintaining production or sales records (beyond the merely clerical);
- appraising productivity; handling employee grievances or complaints, or disciplining employees;
- determining work techniques;
- planning the work;
- apportioning work among employees;
- determining the types of equipment to be used in performing work, or materials needed;
- planning budgets for work;
- monitoring work for legal or regulatory compliance;
- providing for safety and security of the workplace.

Determining whether an employee has management as the primary duty of the position requires case-by-case evaluation. A "rule of thumb" is to determine if the employee is "in charge" of a department or subdivision of the enterprise (such as a shift). One handy clue might be to ask who a telephone inquiry would be directed to if the called asked for "the boss." Typically, only one employee is "in charge" at any particular time. Thus, for example, if a "sergeant" and a "lieutenant" are each at work at the same time (in the same unit or subunit of the organization), only the lieutenant is "in charge" during that time.

An employee may qualify as performing executive job duties even if s/he performs a variety of "regular" job duties as well. For example, the night manager at a fast food restaurant may in reality spend most of the shift preparing food and serving customers. S/he is, however, still "the boss" even when not actually engaged in "active" bossing duties. In the event that some "executive" decisions are required, s/he is there to make them, and this is sufficient.

The final requirement for the executive exemption is that the employee have genuine input into personnel matters. This does not require that the employee be the final decision maker on such matters, but rather that the employee's input is given "particular weight." Usually, it will mean that making personnel recommendations is part of the employee's normal job duties, that the employee makes these kinds of recommendations frequently enough to be a "real" part of the job, and that higher management takes the employee's personnel suggestions or recommendations seriously.

Exempt professional job duties.

The job duties of the traditional "learned professions" are exempt. These include lawyers, doctors, dentists, teachers, architects, clergy. Also included are registered nurses (but not LPNs), accountants (but not bookkeepers), engineers (who have engineering degrees or the equivalent

and perform work of the sort usually performed by licensed professional engineers), actuaries, scientists (but not technicians), pharmacists, and other employees who perform work requiring "advanced knowledge" similar to that historically associated with the traditional learned professions.

Professionally exempt work means work which is predominantly intellectual, requires specialized education, and involves the exercise of discretion and judgment. Professionally exempt workers must have education beyond high school, and usually beyond college, in fields that are distinguished from (more "academic" than) the mechanical arts or skilled trades. Advanced degrees are the most common measure of this, but are not absolutely necessary if an employee has attained a similar level of advanced education through other means (and perform essentially the same kind of work as similar employees who do have advanced degrees).

Some employees may also perform "creative professional" job duties which are exempt. This classification applies to jobs such as actors, musicians, composers, writers, cartoonists, and some journalists. It is meant to cover employees in these kinds of jobs whose work requires invention, imagination, originality or talent; who contribute a unique interpretation or analysis.

Identifying most professionally exempt employees is usually pretty straightforward and uncontroversial, but this is not always the case. Whether a journalist is professionally exempt, for example, or a commercial artist, will likely require careful analysis of just what the employee actually does.

Exempt Administrative job duties.

The most elusive and imprecise of the definitions of exempt job duties is for exempt "administrative" job duties.

The Regulatory definition provides that exempt administrative job duties are

- (a) office or nonmanual work, which is
- (b) directly related to management or general business operations of the employer or the employer's customers, and
- (c) a primary component of which involves the exercise of independent judgment and discretion about
- (d) matters of significance.

The administrative exemption is designed for relatively high-level employees whose main job is to "keep the business running." A useful rule of thumb is to distinguish administrative employees from "operational" or "production" employees. Employees who make what the business sells are not administrative employees. Administrative employees provide "support" to the operational or production employees. They are "staff" rather than "line" employees. Examples of administrative functions include labor relations and personnel (human resources employees), payroll and finance (including budgeting and benefits management), records maintenance, accounting and tax, marketing and advertising (as differentiated from direct sales), quality control, public relations (including shareholder or investment relations, and government relations), legal and regulatory compliance, and some computer-related jobs (such as network, internet and database administration). (See [Computer employees](#).)

To be exempt under the administrative exemption, the "staff" or "support" work must be office or nonmanual, and must be for matters of significance. Clerical employees perform office or nonmanual support work but are not administratively exempt. Nor is administrative work exempt just because it is financially important, in the sense that the employer would experience financial losses if the employee fails to perform competently. Administratively exempt work typically

involves the exercise of discretion and judgment, with the authority to make independent decisions on matters which affect the business as a whole or a significant part of it.

Questions to ask might include whether the employee has the authority to formulate or interpret company policies; how major the employee's assignments are in relation to the overall business operations of the enterprise (buying paper clips versus buying a fleet of delivery vehicles, for example); whether the employee has the authority to commit the employer in matters which have significant financial impact; whether the employee has the authority to deviate from company policy without prior approval.

An example of administratively exempt work could be the buyer for a department store. S/he performs office or nonmanual work and is not engaged in production or sales. The job involves work which is necessary to the overall operation of the store -- selecting merchandise to be ordered as inventory. It is important work, since having the right inventory (and the right amount of inventory) is crucial to the overall well-being of the store's business. It involves the exercise of a good deal of important judgment and discretion, since it is up to the buyer to select items which will sell in sufficient quantity and at sufficient margins to be profitable. Other examples of administratively exempt employees might be planners and true administrative assistants (as differentiated from secretaries with fancy titles). Bookkeepers, "gal Fridays," and most employees who operate machines are not administratively exempt.

Merely clerical work may be administrative, but it is not exempt. Most secretaries, for example, may accurately be said to be performing administrative work, but their jobs are not usually exempt. Similarly, filing, filling out forms and preparing routine reports, answering telephones, making travel arrangements, working on customer "help desks," and similar jobs are not likely to be high-level enough to be administratively exempt. Many clerical workers do in fact exercise some discretion and judgment in their jobs. However, to "count" the exercise of judgment and discretion must be about matters of considerable importance to the operation of the enterprise as a whole.

Routinely ordering supplies (and even selecting which vendor to buy supplies from) is not likely to be considered high- enough to qualify the employee for administratively exempt status. There is no "bright line." Some secretaries may indeed be high-level, administratively exempt employees (for example, the secretary to the CEO who really does "run his life"), while some employees with fancy titles (e.g., "administrative assistant") may really be performing nonexempt clerical duties.

Rights of exempt employees.

An exempt employee has virtually "no rights at all" under the FLSA overtime rules. About all an exempt employee is entitled to under the FLSA is to receive the full amount of the base salary in any work period during which s/he performs any work (less any permissible deductions). Nothing in the FLSA prohibits an employer from requiring exempt employees to "punch a clock," or work a particular schedule, or "make up" time lost due to absences. Nor does the FLSA limit the amount of work time an employer may require or expect from any employee, on any schedule. ("Mandatory overtime" is not restricted by the FLSA.)

Keep in mind that this discussion is limited to rights under the FLSA. Exempt employees may have rights under other laws or by way of employment policies or contracts.

Rights of nonexempt employees.

Nonexempt employees are entitled under the FLSA to time and one-half their "regular rate" of pay for each hour they actually work over the applicable FLSA overtime threshold in the

applicable FLSA work period. (See, "[FLSA Overtime](#)")

Item 6A.

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Chapter 22

EXEMPTIONS FOR EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, COMPUTER, AND OUTSIDE SALES EMPLOYEES

Source: FOH Revision 771, published 01/19/2021. Substantive revisions made *after* 01/19/2021 are noted at the end of affected provisions below.

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22a GENERAL CONSIDERATIONS

22a00 Exemptions under the FLSA and Part 541.

Section 13(a)(1) of the Fair Labor Standards Act (FLSA) exempts from the FLSA’s minimum-wage and overtime requirements every “employee employed in a bona fide executive, administrative, or professional capacity ... or in the capacity of an outside salesman.” Similarly, Section 13(a)(17) exempts certain computer employees from those requirements. They are sometimes referred to collectively as the EAP or white collar exemptions. WHD has defined the exemptions in Part 541 of Title 29 of the Code of Federal Regulations. This FOH chapter refers to the exemptions as Part 541 exemptions.

References:

- 29 USC 213(a)(1), (17)
- [29 CFR 541.100](#) (executive employees)
- [29 CFR 541.200](#) (administrative employees)
- [29 CFR 541.300](#) (professional employees)
- [29 CFR 541.400](#) (computer employees)
- [29 CFR 541.500](#) (outside-sales employees)

22a01 Changes made by 2019 rule revisions.

(a) Effective date.

Part 541 was amended through a final rule that was published in the Federal Register on September 27, 2019. The revised rule took effect on January 1, 2020.

References:

[84 FR 51230](#)

(b) Summary of changes.

(1) *Compensation thresholds.*

The standard salary level, motion-picture base rate, and highly compensated employee compensations thresholds changed as shown in the chart:

Earning threshold	2020 and later	2019 and earlier
Standard salary level	\$684 per week	\$455 per week
Mariana Isls., Guam, Puerto Rico, Virgin Isls.	\$455 per week	\$455 per week
American Samoa	\$380 per week	\$380 per week
HCE annual compensation	\$107,432 per year <i>including</i> at least \$684 per week	\$100,000 per year <i>including</i> at least \$455 per week
Motion-picture base rate	\$1,043 per week	\$695 per week

(2) *Bonuses and incentive payments.*

Employers may use nondiscretionary bonus and incentive payments to satisfy up to 10 percent of the standard salary level if those payments are made at least annually.

(3) *Catch-up payments.*

Employers who use bonuses and incentive payments to satisfy a portion of the salary level have up to one pay period after the end of a year or a final pay period to make a catch-up payment to an employee to meet the standard salary requirement. Catch-up payments to meet the standard salary level are limited to 10 percent of the standard salary level (that is, \$3,556.80). The timing of catch-up payments to highly compensated employees remains unchanged.

(c) **Periods spanning January 1, 2020.**

Pay thresholds for workweeks or pay periods that span January 1, 2020, are prorated to the appropriate daily equivalent for the calendar days in the workweek or pay period. Those amounts are:

Daily equivalent rate	2020–	pre-2020
Standard salary level	\$97.71	\$65
Motion-picture production	\$173.83	\$115.83

For example, a workweek that runs from Monday, December 30, 2019, through Sunday, January 5, 2020, includes two days in December 2019 and five days in January 2020. The daily equivalent of the standard salary rate of \$684 per week is \$97.71; the daily equivalent of the pre-2020 standard salary rate of \$455 per week is \$65. Therefore, an employee who is paid \$618.55 for that workweek—five days at \$97.71 per day plus two days at \$65 per day—has been paid at the standard salary level.

22a02 Scope and interpretation of Part 541 exemptions.

(a) **Fair, not narrow, interpretation.**

WHD interprets the Part 541 exemptions fairly, not narrowly. The Supreme Court overturned earlier interpretations that required a narrow reading of the FLSA’s exemptions because nothing in the FLSA’s text indicated that the exemptions should be read that way and instead instructed that the FLSA be given a fair reading.

References:

Encino Motorcars, LLC, v. Navarro, 138 S.Ct. 1134, 1142 (2018)

(b) **Exemptions do not apply to blue-collar workers.**

Part 541 exemptions apply only to bona fide executive, administrative, professional, computer, and outside sales employees. Manual laborers and other blue-collar workers do not qualify for these exemptions.

References:

[29 CFR 541.3\(a\)](#)

(c) Titles and descriptions insufficient.

Job titles, job descriptions, and “white collar” status do not determine an employee’s exempt status. Employees are exempt only if they meet the salary and duties requirements.

References:

[29 CFR 541.2](#)

(d) Other laws and collective bargaining agreements.

The FLSA sets minimum requirements that cannot be waived or reduced. However, employers must also comply with federal, state, and municipal laws, ordinances, and regulations that go beyond the FLSA (for example, by setting a higher minimum wage or lower maximum workweek) and with obligations under collective-bargaining agreements.

References:

[29 CFR 541.4](#)

22a03 Exemption period.

Each workweek constitutes a separate exemption period. Changing an employee’s duties, responsibilities, or salary, even temporarily, might change the employee’s exemption status; an employee who is exempt in one workweek might not be exempt in the next. However, while the exemptions themselves apply from workweek to workweek, some tests require evaluations that cover a longer period. For example:

- (a)** The primary duty test looks at whatever length of time is appropriate to capture the character of the employee’s job as a whole, not at a day-by-day scrutiny of the tasks performed.
- (b)** An employee might receive the amount of the standard salary level in a particular workweek while a longer-term analysis shows that the employee is not actually paid on a salary basis.
- (c)** A supervisor who directs the work of two or more employees in certain weeks might not do so customarily and regularly.

References:

29 USC 207(a)(1)

[29 CFR 776.4](#)

22a04 Recordkeeping, work schedule, and leave usage policies.

Employers may require exempt employees to record and track their hours and to work a specified schedule. They may deduct from accrued leave accounts for leave taken (whether for a full or partial day) without affecting employees’ exempt status.

References:

[69 FR 22178](#)
[WHD Opinion Letter FLSA2005-05 \(Jan. 7, 2005\)](#)

22a05 **Definitions of frequently used terms.**

(a) Standard salary level.

Most Part 541 exemptions require that the employee be paid at least the standard salary level. This is compensation, exclusive of board, lodging, or other facilities, of:

- (1) \$684 per week;
- (2) \$455 per week if employed in the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the U.S. Virgin Islands by employers other than the Federal Government; or
- (3) \$380 per week if employed in American Samoa by employers other than the Federal Government.

References:

[29 CFR 541.600](#)

(b) Customarily and regularly.

“Customarily and regularly” means more often than occasional, but it does not have to be constant. It includes tasks performed normally and recurrently every workweek. It does not include isolated or one-time tasks.

References:

[29 CFR 541.701](#)

(c) Educational establishment.

- (1) “Educational establishment” means an elementary or secondary school system, an institution of higher education, or other educational institution. Elementary and secondary schools are day or residential schools that provide elementary or secondary education, as determined under state law. In most states, this includes the curricula in grades 1 through 12; in many states, it also includes kindergarten. In some states, it includes nursery-school programs and junior-college curricula.
- (2) “Other educational establishment” includes special schools for gifted children or for mentally or physically disabled children, regardless of the schools’ classification as elementary, secondary, or higher.
- (3) Post-secondary career programs may qualify as educational establishments. One factor in that determination is whether the program is licensed by the agency responsible for the state’s educational system or accredited by a nationally recognized accrediting organization for career schools.

- (4) Preschools and daycare centers do not qualify as educational establishments unless their grade-school, kindergarten, or nursery-school programs are classified as elementary education under state law. One factor in that determination is whether the establishment is licensed by an agency governing health or welfare rather than an education department.
- (5) The definition of “educational establishment” does not distinguish between public and private or for-profit and non-profit schools.

References:

29 USC 203(v)–(w)

[29 CFR 541.204\(b\)](#)

[WHD Opinion Letter FLSA2008-13NA \(Sept. 29, 2008\)](#)

22a06 Primary duty test.

(a) Definition of “primary duty.”

Generally, employees are exempt only if their primary duty is the performance of exempt work. An employee’s primary duty is the principal, main, major, or most important duty the employee performs. The primary duty test is an employee-specific, case-by-case inquiry with the major emphasis on the character of the employee’s job as a whole.

References:

[29 CFR 541.700\(a\)](#)

(b) Time not the sole test.

Employees who spend more than half their time performing exempt work will generally satisfy the primary duty requirement. The amount of time spent performing exempt work is often a useful guide, but it is not the sole test. Employees who spend less than half their time performing exempt duties still satisfy the primary duty test if the character of their job as a whole supports that conclusion.

References:

[29 CFR 541.700\(b\)](#)

(c) Factors to consider.

An employee’s primary duty depends on factors including:

- (1) The relative importance of the exempt duties compared with other duties,
- (2) The amount of time spent performing exempt work,
- (3) The employee’s relative freedom from direct supervision, and
- (4) The relationship between the employee’s salary and the wages paid to other employees for the kind of nonexempt work performed by the employee.

For example, a retailer's assistant managers who perform exempt executive duties such as supervising and directing the work of other employees, ordering merchandise, managing the budget, and authorizing payment of bills may have management as their primary duty even if they spend more than 50 percent of their time performing nonexempt work such as running the cash register. Assistant managers who are closely supervised and earn little more than nonexempt employees, however, would likely not have management as a primary duty.

References:

[29 CFR 541.700\(a\), \(c\)](#)

(d) Directly and closely related work.

- (1) Work directly and closely related to the performance of exempt work is itself exempt. Work is "directly and closely related" to exempt work if it relates to exempt work and contributes to or facilitates performance of exempt work. It includes, for example, menial or physical tasks that arise out of exempt duties and routine work without which exempt work cannot be performed properly. Examples include recordkeeping; monitoring and adjusting machinery; taking notes; creating documents or presentations; opening the mail to read it and making decisions; and using a photocopier or fax machine.
- (2) Examples.
 - a. Keeping time, production, or sales records for subordinates is directly and closely related to exempt duties of managing a department and supervising employees.
 - b. Spot-checking and examining subordinates' work to determine whether they are performing their duties properly and whether the product is satisfactory is directly and closely related to managerial and supervisory functions if it is distinguishable from a nonexempt inspector's ordinary work.
 - c. Setting up a machine may be exempt work. In some cases the setup or adjustment of the machine for a particular job is typically performed by the same employees who operate the machine. That is nonexempt production work. In other cases, the setup is a highly skilled operation that may be performed by non-supervisors or, particularly in small plants, by supervisors. If performed by supervisors, it is directly and closely related to the executive's responsibility for subordinates' work performance and for the adequacy of the final product.
 - d. Walking the sales floor to observe the work of supervised sales personnel to determine the effectiveness of their sales techniques, check on the quality of customer service being given, or observe customer preferences is directly and closely related to managerial and supervisory functions.
 - e. A credit manager who checks the status of accounts to determine whether a new order would exceed a credit limit, removes credit reports from the files for analysis, and writes letters giving credit data and experience to other employers or credit agencies is performing work directly and closely related

to exempt administrative duties of administering a credit policy, establishing credit limits, authorizing orders on credit, and deciding whether to allow a customer to exceed a credit limit.

- f. Taking telephone orders for local deliveries is not directly and closely related to a logistics manager's exempt duties in planning a company's transportation, such as securing contracts for shipping merchandise to and from a plant, negotiating with carriers for adjustments for delays or damages, or making substitute arrangements to account for delays, damages, and irregularities in shipments and deliveries.

References:

[29 CFR 541.703](#)

22a07 Primary duty in special circumstances.

(a) Employee working in both exempt and nonexempt positions.

The primary duty test applies to employees who work for an employer in more than one capacity. For example, an employee may work as an office assistant, a position that is typically nonexempt, and as a manager, a position that is typically exempt. If the exempt managerial duties are the primary duty, the employee will be exempt. If the nonexempt office assistant duties are the primary duty, the employee will be nonexempt. If the employee is nonexempt, normal regular-rate principles apply in calculating overtime due.

References:

[29 CFR 541.700](#)

[WHD Opinion Letter FLSA2005-14 \(Mar. 17, 2005\)](#)

(b) Combination exemption.

Employers may tack on or combine exempt work under different Part 541 exemptions to determine an employee's primary duty. Thus, employees who perform a combination of exempt executive, administrative, professional, outside-sales, or computer work may satisfy the primary duty test. In other words, work that is exempt under one section of Part 541 does not defeat an exemption under another section. Tacking on or combining may satisfy only the primary duty test, not the other tests for an exemption.

References:

[29 CFR 541.708](#)

[69 FR 22190](#)

(c) Trainees.

- (1) Employees training for an exempt position are not exempt if they are not actually performing the duties required for that exemption.

- (2) Exempt employees on temporary training assignments remain exempt if their primary duty does not change. For instance, exempt store managers who attend a several-week training program that will qualify them for higher-level management positions do not lose the exemption during the training. The managers' primary duty is not changed by the mere fact that they attend the training program.

References:

[29 CFR 541.705](#)
[WHD Opinion Letter FLSA2008-19 \(Dec. 19, 2008\)](#)

(d) Primary duty during a strike.

During a strike, otherwise exempt executive, administrative, and professional employees often perform the work of nonexempt rank-and-file employees. WHD considers the primary duty test to be satisfied during a strike if the otherwise-exempt employee (1) satisfied the primary duty test before the strike and (2) is paid on a salary basis at not less than the standard salary level during the strike.

References:

[WHD Opinion Letter FLSA-329 \(June 18, 1982\)](#)

22b EXECUTIVE EXEMPTION: 29 CFR 541.100

22b00 Criteria for exemption of executive employees.

To qualify as exempt executives, employees must:

- (a) Be compensated on a salary basis at not less than the standard salary level;
- (b) Have a primary duty of managing the employer's enterprise or a customarily recognized department or subdivision of that enterprise;
- (c) Customarily and regularly direct the work of two or more other employees; and
- (d) Have the authority to hire or fire other employees, or have the decision-maker give their suggestions and recommendations as to other employees' hiring, firing, advancement, promotion, or other change of status particular weight.

References:

[29 CFR 541.100](#)

22b01 Primary duty test: Managing the enterprise, a department, or a subdivision.

(a) Management activities.

An exempt executive employee's primary duty must be managing the enterprise or one of its customarily recognized departments or subdivisions. "Management" includes:

- Interviewing, selecting, and training employees;

- Setting and adjusting employees' rates of pay and hours of work;
- Planning or directing employees' work;
- Maintaining production or sales records for use in supervision or control;
- Appraising employees' productivity and efficiency to recommend promotions or other changes in status;
- Handling employee complaints and grievances;
- Disciplining employees;
- Determining the techniques to be used;
- Apportioning work among the employees;
- Determining the type of materials, supplies, machinery, equipment or tools to be used or merchandise to be bought, stocked, and sold;
- Controlling the flow and distribution of materials or merchandise and supplies;
- Providing for the safety and security of the employees or the property;
- Planning and controlling the budget; and
- Monitoring or implementing legal compliance measures.

References:

[29 CFR 541.102](#)
[69 FR 22133](#)

(b) Department or subdivision.

- (1) "Customarily recognized department or subdivision" means a recognized subpart within a larger business unit that has a permanent status and continuing function. It distinguishes a collection of employees assigned from time to time to a specific job or series of jobs, on the one hand, from a recognized unit with permanent status and function, on the other. Examples of departments or subdivisions include groupings such as a shift; a functional area (such as back-of-house and front-of-house areas in a store or restaurant); or a small group or team of employees who work on a related project within a larger group. Departments themselves may have subdivisions. For example, a human resources department may have subdivisions for labor relations, pensions and benefits, equal employment opportunity, and personnel management, each with a permanent status and function.
- (2) Each physical establishment of a multi-establishment enterprise qualifies as a recognized subdivision. A recognized subdivision need not be within the employer's physical establishment and may even move from place to place. A supervisor may work in more than one location.
- (3) Continuity of the same subordinate personnel is not necessary. Supervisors may obtain and supervise workers from a pool or supervise a team of workers from other recognized units.

References:

[29 CFR 541.103](#)
[69 FR 22134](#)

(c) Concurrent performance of exempt and nonexempt duties.

- (1) If an employee concurrently (or simultaneously) performs both exempt and nonexempt duties, the character of the employee’s job as a whole determines whether management is the primary duty. Exempt executives do not become nonexempt by performing nonexempt tasks; nonexempt employees do not become executives if they sometimes direct the work of other employees or sometimes give input on performance issues.
- (2) Generally, exempt executives decide when to perform nonexempt tasks, remain responsible for the success or failure of business operations while performing nonexempt tasks, and can simultaneously supervise subordinates and perform nonexempt tasks. For example, restaurant managers who perform nonexempt work like serving customers or cooking food during peak customer periods would be exempt if their primary duty is managing the restaurant—the manager can direct and supervise other employees’ work while performing the nonexempt work.
- (3) On the other hand, employees whose primary duty is ordinary production work or routine, recurrent, or repetitive tasks do not qualify for the executive exemption even if they also have some supervisory responsibilities. Nonexempt employees generally perform exempt work for defined times or are directed by supervisors to perform exempt work. For example, a relief supervisor or working supervisor whose primary duty is working on the production line in a manufacturing plant remains nonexempt even if one responsibility of the job is directing other employees’ work while the exempt supervisor is unavailable.

References:

[29 CFR 541.106](#)

[29 CFR 541.700](#)

[69 FR 22135–22137](#)

[WHD Opinion Letter FLSA2006-29 \(Sept. 8, 2006\)](#)

22b02 Supervision test: Customarily and regularly directing two or more other employees.**(a) Customarily and regularly.**

Whether an employee “customarily and regularly directs the work of two or more other employees” depends on the facts of each situation. An occasional workweek without directing subordinates does not defeat the exemption. A supervisor does not have to work at the same time or in the same location as the supervised subordinates to direct them.

References:

[29 CFR 541.100](#)

[WHD Opinion Letter FLSA2006-35 \(Sept. 21, 2006\)](#)

(b) Two or more other employees.

- (1) “Two or more other employees” means two full-time employees or the equivalent. Full-time generally means 40 or more hours per workweek; the subordinates

ordinarily must work 80 total hours per workweek to qualify as the equivalent of two full-time employees. For example, one full-time and two half-time employees are equivalent to two full-time employees, as are four half-time employees. If the subordinates include occasional, temporary, or part-time employees, the employee must supervise two or more subordinates for a combined total of 80 hours of work. However, a full-time employee who works more than 40 hours per workweek counts as only one full-time employee. For example, a full-time employee who works 60 hours per week and a part-time employee who works 20 hours per week have worked for 80 total hours, but their supervisor has supervised only the equivalent of only one full-time and one part-time employee and is not exempt.

- (2) The “other employees” must be employed by the supervisor’s employer. Volunteers, independent contractors and their employees, and other non-employees (e.g., trainees, interns) do not count, though an employee who supervises such workers may be eligible for the administrative exemption.

References:

[29 CFR 541.104](#)
[69 FR 22135](#)
[WHD Opinion Letter FLSA2007-3 \(Jan. 25, 2007\)](#)
[Fact Sheet 17B](#)

(c) Multiple supervisors permitted.

- (1) An employer can divide supervisory functions among multiple supervisors, but each supervisor must customarily and regularly direct the work of two or more full-time subordinates to be exempt. For example, a department with five full-time nonexempt workers may have up to two exempt supervisors if each supervisor customarily and regularly directs the work of two of those workers.
- (2) The hours worked by a subordinate employee may not be counted or credited more than once for different supervisors. Thus, if two supervisors share responsibility for supervising the same two employees in the same department, neither supervisor would meet the supervision test. On the other hand, a full-time employee who works half of the time for one supervisor and the other half of the time for a different supervisor may be credited as a half-time employee for each supervisor. If a full-time employee usually works more than 40 hours per week and the employer wants to split the employee’s time evenly between two supervisors, then each supervisor is still supervising only one-half of the full-time employee’s time. Subdividing one full-time employee’s time between more than one supervisor for purposes of this test should never add up to more than one full-time employee.

References:

[WHD Non-Administrator Opinion Letter FLSA-735 \(Nov. 8, 1979\)](#)
[WHD Opinion Letter FLSA2006-35 \(Sept. 21, 2006\)](#)

22b03 Authority test: Power to hire or fire; particular weight.

- (a) Particular weight.**

Whether an employee's recommendations are given particular weight depends on factors such as whether it is part of the employee's job duties to make such recommendations and how often those recommendations are made, requested, or relied upon. For example, an employee who provides few recommendations that are never followed would not meet the authority test. Generally, an executive's recommendations must pertain to employees whom the executive customarily and regularly directs or supervises. It does not include occasional suggestions regarding co-workers. An employee may still meet the authority test even if a higher level manager's recommendation has more importance or if a higher level manager or a personnel board makes the final decision.

(b) Other change of status.

"Change of status" has the same meaning that the Supreme Court has given the term "tangible employment action" for purposes of Title VII liability: a significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits. A supervisor who gives recommendations on any of those changes in status may satisfy the authority test.

References:

[29 CFR 541.100](#)

[29 CFR 541.105](#)

[69 FR 22131, 22135](#)

Burlington Industries, Inc. v. Ellerth, 524 U.S. 742, 761–62 (1998)

22b04 (Reserved.)

22b05 Exemption of business owners with 20 percent equity interest.

- (a) An employee is an exempt executive if the employee:
- (1) Owns at least a bona fide 20 percent equity interest in the employing enterprise, and
 - (2) is actively engaged in managing the enterprise, which depends on the type, not the amount, of work the employee performs.
- (b) The salary and salary basis requirements do not apply to these owners. The type of business organization (e.g., corporation, partnership, or LLC) does not matter.

References:

[29 CFR 541.101](#)

[69 FR 22132](#)

22c ADMINISTRATIVE EXEMPTION: 29 CFR 541.200

22c00 Criteria for exemption of administrative employees.

To be exempt as an administrative employee, an employee must:

- (a) Be compensated on a salary or fee basis at not less than the standard salary level;

- (b) Have a primary duty of performing office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- (c) Have a primary duty that includes the exercise of discretion and independent judgment with respect to matters of significance.

References:

[29 CFR 541.200](#)

22c01 Primary duty test: Type of work.

Work must be of a particular type to satisfy the administrative primary duty test. First, it must be office or non-manual work. Second, it must be directly related to the management or general business operations of the employer or the employer's customers.

(a) Office or non-manual work.

Only office or non-manual work satisfies the administrative primary duty test. Thus, for example, production-line workers and employees in maintenance, construction, and similar occupations who perform work involving repetitive operations with their hands, physical skill, and energy do not qualify.

References:

[29 CFR 541.200\(a\)\(2\)](#)

(b) Directly related to management or general business operations.

(1) In general.

Work is "directly related to management or general business operations" if it relates to assisting with the running or servicing of the business. A useful way to distinguish exempt administrative work from nonexempt work is to think of production versus staff: An enterprise exists to furnish goods or services to consumers. Work that produces or sells those goods or services is generally nonexempt production work. Work that oversees or performs the business affairs of the enterprise is generally exempt administrative work.

(2) *Examples.*

Departments and functional areas that generally relate to management and business operations include tax, finance, accounting, budgeting, auditing, insurance, quality control, purchasing, procurement, advertising, marketing, research, safety and health, personnel management, human resources, employee benefits, labor relations, public relations, government relations, computer network, internet and database administration, and legal and regulatory compliance. As always, however, the primary duty test depends upon the actual duties a particular employee performs, not on the employee's job title or department.

References:

[29 CFR 541.201\(a\), \(b\)](#)
[69 FR 22140–22142](#)
[WHD Opinion Letter FLSA2005-21 \(Aug. 19, 2005\)](#)

(c) Employer’s customers.

- (1) Work directly related to the management or general business operations of the employer’s customers can satisfy the primary duty test. For example, employees acting as advisors or consultants to their employer’s clients or customers for a fee—such as tax experts, financial consultants, or management consultants—may be exempt. Those employees satisfy the primary duty test if their work relates to the management or general business operations of either their employer or their employer’s clients or customers.
- (2) The client or customer may be an enterprise or an individual. Administrative duties performed for a client are exempt whether the client is a Fortune 500 company or a sole proprietor.

References:

[29 CFR 541.201\(c\)](#)
[69 FR 22141–22142](#)

22c02 Primary duty test: Discretion and independent judgment.

Work must also have a particular scope to satisfy the administrative primary duty test: It must include the exercise of discretion and independent judgment with respect to matters of significance.

- (a) In general, exercising discretion and independent judgment involves comparing and evaluating possible courses of action and acting or deciding after the various possibilities have been considered. It implies that the employee has authority to make an independent choice free from immediate direction or supervision, but it does not require that the employee exercise ultimate decision-making authority or act completely free from review.
- (b) “Matters of significance” refers to the work’s importance or consequence to the management or general business operations of the employer or the employer’s customers. A matter is not significant merely because employee errors will cause financial losses. For example, a messenger entrusted with carrying large sums of money and an employee who operates expensive equipment do not exercise discretion and independent judgment with respect to matters of significance even though their errors may result in serious consequences or financial losses.

References:

[29 CFR 541.202\(a\), \(c\), \(f\)](#)
[69 FR 22143](#)
[WHD Opinion Letter FLSA2006-27 \(July 24, 2006\)](#)

- (c) Whether an employee exercises discretion and independent judgment on matters of significance depends on factors including whether the employee:

- Has authority to formulate, affect, interpret, or implement management policies or operating practices;
- Carries out major assignments in conducting the operations of the business;
- Performs work that affects business operations to a substantial degree, even if only in a particular segment of the business;
- Has authority to commit the employer in matters that have significant financial impact;
- Has authority to waive or deviate from established policies and procedures without prior approval;
- Has authority to negotiate and bind the company on significant matters;
- Gives consultation or expert advice to management;
- Is involved in planning long- or short-term business objectives;
- Investigates and resolves significant matters on management's behalf; or
- Represents the employer in handling complaints, arbitrating disputes, or resolving grievances.

Generally, employees who meet two or three of these factors are exercising discretion and independent judgment. Other factors federal courts have found relevant in assessing whether an employee exercises discretion and independent judgment include whether the employee:

- Is free from direct supervision;
- Has personnel responsibilities,
- Troubleshoots or problem-solves on management's behalf;
- Has authority to handle atypical or unusual situations;
- Has authority to set budgets;
- Is responsible for assessing customer needs;
- Is the employer's primary contact to the public or customers;
- Must anticipate competitive products or services and distinguish them from competitor's products or services;
- Is responsible for advertising or promotion work; or
- Coordinates departments, requirements, or other activities for or on behalf of the employer, clients, or customers.

References:

[29 CFR 541.202\(b\)](#)
[69 FR 22143-22144](#)

- (d)** Employees can exercise discretion and independent judgment even if their decisions or recommendations are reviewed, and on occasion revised or reversed, by superiors. That is, an exercise of discretion and independent judgment may result in recommendations for action rather than action itself. Examples include a credit manager who creates credit policies that higher company officials may approve or disapprove and a management consultant whose proposed changes to a client's business operations must be reviewed or revised by superiors before submitting it to the client.

References:

[29 CFR 541.202\(c\)](#)**22c03 Duties and tasks that do not qualify as exempt administrative work.****(a) Tasks that are mechanical, repetitive, or routine.**

Examples of nonexempt duties that involve clerical or secretarial work; recording or tabulating data; and performing other mechanical, repetitive, and routine work include:

- (1) Entering account-payable and -receivable data;
- (2) Updating records for use in accounting;
- (3) Word processing;
- (4) Sending notices and reminders of contractual obligations;
- (5) Maintaining files and notebooks;
- (6) Receptionist duties such as answering phones, taking messages, and signing for package deliveries; and
- (7) Ordering routine office supplies.

References:

[WHD Opinion Letter FLSA2005-8 \(Jan. 7, 2005\)](#)

(b) Tasks that are not exercises of discretion and independent judgment.

Skillfully applying well-established techniques, procedures, or specific standards described in manuals or other sources is not an exercise of discretion and independent judgment. Neither are clerical or secretarial work; recording or tabulating data (even if the employee's title is "statistician"); or performing other mechanical, repetitive, recurrent, or routine work. On the other hand, exempt employees may use manuals, guidelines, or other established procedures if they contain or relate to highly technical, scientific, legal, financial, or other similarly complex matters that can be understood or interpreted only by those with advanced or specialized knowledge or skills.

References:

[29 CFR 541.202\(e\)](#)

[29 CFR 541.704](#)

22c04 Special test for educational establishments: academic administrative employees.**(a) The regulations set a special alternative to the standard duties and salaries requirements for certain academic administrative employees. Specifically, the administrative exemption applies to an employee:**

- (1) Who is employed by an educational establishment;

- (2) Whose primary duty is performing administrative functions directly related to academic instruction or training in the educational establishment; and
- (3) Who is compensated either:
 - a. On a salary or fee basis at not less than the standard salary level or
 - b. On a salary basis equal to at least the entrance salary for teachers in the employing educational establishment.

References:

[29 CFR 541.204\(a\)](#)

- (b)** Administrative functions are directly related to academic instruction or training if they relate to a school's academic operations and functions (as opposed to administrative functions that are related to general business operations). They include operations directly in the field of education. Employees engaged in academic administrative functions include:
 - (1) Superintendents or other heads of elementary or secondary school systems;
 - (2) Assistant superintendents who are responsible for matters such as curriculum, quality and methods of instructing, measuring and testing students' learning potential and achievement, establishing and maintaining academic and grading standards, and other aspects of the teaching program;
 - (3) Principals and vice-principals responsible for operating an elementary or secondary school;
 - (4) Department heads in institutions of higher education responsible for the various subject-matter departments;
 - (5) Academic counselors who perform work such as administering school testing programs, assisting students with academic problems, and advising students on degree requirements;
 - (6) And other employees with similar responsibilities.

References:

[29 CFR 541.204\(c\)](#)

- (c)** Academic administrative functions do not include jobs relating to areas outside the educational field. These include areas such as building management, maintenance, student health, and student recruitment. Examples of employees who do not perform academic administrative functions are admissions counselors, social workers, psychologists, dieticians, and lunch-room managers, though some of these may be exempt on other bases.

References:

[29 CFR 541.204\(c\)\(2\)](#)

[WHD Non-Administrator Opinion Letter \(Apr. 20, 1999\)](#)

22d PROFESSIONAL EXEMPTION: 29 CFR 541.300**22d00 Types of professional employees.**

There are three types of professional exemption, each with its own duties test: learned, creative, and teaching.

22d01 Learned professionals: Criteria.

To be exempt as a learned professional:

- (a) The employee must be compensated on a salary or a fee basis at not less than the standard salary level;
- (b) The employee's primary duty must be performing work that requires advanced knowledge, defined as work that is predominantly intellectual in character and requires the consistent exercise of discretion and judgment;
- (c) The advanced knowledge must be in a field of science or learning; and
- (d) The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

References:

[29 CFR 541.301\(a\)](#)

22d02 Learned professionals: Primary duty test.**(a) Three-part test to determine primary duty.**

The primary duty test for learned professionals has three parts. The employee must perform work requiring advanced knowledge; the advanced knowledge must be in a field of science or learning; and the advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

- (1) *Work requiring advanced knowledge.*
 - a. This work is predominantly intellectual in character and requires the consistent exercise of discretion and judgment. Learned professional work is therefore distinguished from routine work, whether mental, manual, mechanical, or physical. Learned professionals generally use their advanced knowledge to analyze, interpret, or make deductions from varying facts or circumstances.
 - b. Advanced knowledge cannot be attained at the high school level.
 - c. The "discretion and judgment" standard is less stringent than the "discretion and independent judgment" standard under the administrative exemption.

References:

[29 CFR 541.301\(b\)](#)
[69 FR 22151](#)

(2) *Fields of science or learning.*

These include law; medicine; theology; accounting; actuarial computation; engineering; architecture; teaching; various types of physical, chemical, and biological sciences; and pharmacy. The phrase also includes similar occupations that have a recognized professional status and can be distinguished from the mechanical arts or skilled trades—that is, distinguished from occupations where the knowledge, even if fairly advanced, is not in a field of science or learning.

References:

[29 CFR 541.301\(c\)](#)

(3) *Customarily acquired by a prolonged course of specialized intellectual instruction.*

- a. This phrase restricts the exemption to occupations where specialized academic training is a standard prerequisite for entrance. The best evidence of meeting this requirement is having the appropriate academic degree. However, “customarily” means the exemption is available to employees who have substantially the same knowledge and perform substantially the same work as the degreed employees but who obtained the advanced knowledge through a combination of work experience and intellectual instruction. For example, the exemption is available to the occasional lawyer who has not gone to law school or the occasional chemist who does not possess a degree in chemistry.
- b. The exemption does not apply to occupations where a 4-year degree in any field or a 2-year degree is the sole educational prerequisite. Nor does it apply to occupations that customarily may be performed with knowledge or skill acquired by experience; through an apprenticeship; or with training in how to perform routine mental, manual, mechanical or physical processes.

References:

[29 CFR 541.301\(d\)](#)
[69 FR 22150](#)

(b) Curricula, certification, and licensing.

- (1) Accredited curricula and certification programs are relevant only to the extent they are evidence that a prolonged course of specialized intellectual instruction has become a standard prerequisite for the occupation. The existence of a certifying organization, that organization’s identity, and a legal requirement to obtain certification do not mean that a curriculum or certification involves a prolonged course of specialized intellectual instruction. For example, physician assistants generally meet the duties test for exempt learned professionals because certification requires 4 years of specialized post-secondary education. Cosmetologists, on the other hand, do not qualify because certification does not require a prolonged course of specialized intellectual instruction.

- (2) Possessing a license to practice a certain occupation is a factor, but not a determining factor, in determining whether an employee is an exempt learned professional. As with curricula and certification programs, a license is relevant only to the extent it is evidence that a prolonged course of specialized intellectual instruction has become a standard prerequisite for the occupation. Further, employees who are licensed to perform exempt work are not exempt unless they actually perform exempt work.

References:

[69 FR 22157](#)

(c) Expansion of exemption to new fields.

The learned-professional exemption can grow to new occupations. When knowledge develops, academic training broadens and specialized degrees are offered in new and diverse fields, creating new specialists in particular fields of science or learning. When an advanced specialized degree has become a standard requirement for an occupation, that occupation may have acquired the characteristics of a learned profession. Similarly, new accrediting and certifying organizations and new specialized curricula and certification programs may arise. If obtaining credentials from those organizations becomes a standard requirement to enter into an occupation, the occupation may have acquired the characteristics of a learned profession.

References:

[29 CFR 541.301\(f\)](#)

22d03 Learned professionals: Practice of law or medicine.

(a) Special criteria for employees practicing law or medicine.

Regardless of their pay, employees are exempt learned professionals if they:

- (1) Hold a valid license or certificate permitting the practice of law or medicine or any of their branches, and are actually engaged in the practice thereof; or
- (2) Hold the requisite academic degree for the general practice of medicine and are engaged in an internship or resident program pursuant to the practice of the profession.

References:

[29 CFR 541.304\(a\)](#)

(b) Scope of “physicians.”

Employees practicing medicine include physicians and other practitioners licensed and practicing in the field of medical science and healing or any of the medical specialties practiced by physicians or practitioners. “Physicians” includes medical doctors including general practitioners and specialists, osteopathic physicians (doctors of osteopathy),

podiatrists, dentists (doctors of dental medicine), and optometrists (doctors of optometry or bachelors of science in optometry).

References:

[29 CFR 541.304\(b\)](#)

(c) Salary level and salary basis requirements inapplicable.

The salary level and salary basis requirements do not apply to the practitioners described in this section. Those requirements do apply to other medical professionals, including pharmacists, nurses, therapists, technologists, sanitarians, dieticians, social workers, psychologists, psychometrists, physician assistants, nurse practitioners, and other professions that service the medical profession.

References:

[29 CFR 541.304\(d\)](#)

[29 CFR 541.600\(e\)](#)

22d04 Creative professionals: Criteria.

To be exempt as a bona fide creative professional, the employee must:

- (a)** Be compensated on a salary or fee basis at not less than the standard salary level, and
- (b)** Have a primary duty of performing work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor.

References:

[29 CFR 541.302](#)

22d05 Creative professionals: Primary duty test.

- (a)** An exempt creative professional's primary duty must be to perform work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor, as opposed to routine mental, manual, mechanical, or physical work. This requirement distinguishes creative professional work from work that primarily depends on intelligence, diligence, and accuracy. Work that can be performed by a person with general manual or intellectual ability and training is not exempt professional work.

References:

[29 CFR 541.302\(a\), \(c\)](#)

- (b)** Examples of recognized fields of artistic or creative endeavor are music, writing, acting, and the graphic arts.

References:

[29 CFR 541.302\(b\)](#)

- (c) The creative-professional exemption depends upon how much invention, imagination, originality, or talent the employee exercises. The requirements are generally met by actors; musicians, composers, conductors, and soloists; painters who are given at most the subject matter of their painting; cartoonists who are told only the title or underlying concept for a cartoon and must rely on their own creative ability to express the concept; essayists, novelists, short story writers and screenplay writers who choose their own subjects and submit completed works to their employers; and persons in the more responsible writing positions in advertising agencies. Copyists, animators of motion-picture cartoons, and retouchers of photographs would not be exempt because that work is not creative in character.

References:

[29 CFR 541.302\(c\)](#)

22d06 Teaching professionals: Criteria.

- (a) To be exempt as a teaching professional, the employee must:
- (1) Have a primary duty of teaching, tutoring, instructing, or lecturing in the activity of imparting knowledge; and
 - (2) Be employed and engaged in this activity as a teacher in an educational establishment that employs the employee.
- (b) There are no salary, salary basis, minimum-education, or academic-degree requirements for teaching professionals. Teaching by its very nature requires the exercise of discretion and judgment, so there is no separate discretion-and-judgment requirement for teaching professionals.

References:

[29 CFR 541.204\(b\)](#) (definition of “educational establishment”)

[29 CFR 541.303\(a\), \(d\)](#)

[Fact Sheet 17D](#)

[FOH 22a05\(c\)](#) (definition of “educational establishment”)

- (c) Teaching certificates identify some, but not all, exempt teachers.
- (1) Elementary and secondary teacher’s certificates are a clear means of identifying exempt teaching professionals. Teachers who possess a teacher’s certificate qualify for the exemption regardless of the terms (e.g., permanent, conditional, standard, provisional, temporary, emergency, or unlimited) a state uses to refer to different kinds of certificates.
 - (2) However, employees who satisfy the teaching-professional test are exempt whether they hold a certificate or not. Not all schools require teachers to hold a teaching certificate, and teaching certificates are not generally necessary to work in higher-education institutions or other educational establishments.

References:

[29 CFR 541.303\(c\)](#)

- (d) Exempt teaching professionals include teachers of:
- (1) Regular academic courses,
 - (2) Kindergarten or nursery school,
 - (3) Gifted or disabled children,
 - (4) Skilled and semiskilled trades and occupations,
 - (5) Automobile driving,
 - (6) Aircraft flight instruction,
 - (7) Home economics,
 - (8) Vocal or instrumental music, and
 - (9) University courses.
- (e) Activities such as athletics, drama, speech, debate, and journalism, whether curricular or extracurricular, are a recognized part of the schools' responsibility in educating students. Generally, those acting as coaches, moderators, or advisors for such activities are performing exempt teaching duties and are exempt if that coaching, moderating, or advising is their primary duty.

References:

[29 CFR 541.303\(b\)](#)[WHD Opinion Letter FLSA2005-34 \(Sept. 23, 2005\)](#)[WHD Opinion Letter FLSA2018-6 \(Jan. 5, 2018\)](#)**22d07 Teaching professionals: Particular employees.**

- (a) **Coaches.**
- (1) Athletic teams are a recognized part of students' educational development. Therefore, educational-establishment employees who coach athletic teams are engaged in exempt teaching work, and an employee whose primary duty is such coaching is an exempt teaching professional.
 - (2) Coaches are not exempt if their primary duties are recruiting students to play sports or visiting schools and athletic camps to conduct student interviews. The amount of time the coach spends instructing student-athletes is a relevant but not exclusive factor in determining the coach's primary duty.
 - (3) Nonexempt employees of an educational establishment who volunteer as coaches are considered to be volunteers, not employees, while they coach if their coaching duties are not the same or similar to the nonexempt duties they are employed to perform.

References:

[WHD Opinion Letter FLSA2004-8 \(Sept. 7, 2004\)](#)

[WHD Opinion Letter FLSA2018-6 \(Jan. 5, 2018\)](#)

[Fact Sheet 17S](#)

(b) Substitute teachers.

Substitute teachers qualify for the professional exemption if their primary duty is teaching and imparting knowledge in an educational establishment.

References:

[WHD Opinion Letter FLSA2005-39 \(Oct. 13, 2005\)](#)

[WHD Opinion Letter FLSA2008-7 \(Sept. 26, 2008\)](#)

(c) Preschool teachers

Preschools and daycare centers (particularly at the earliest ages of preparing children to enter school) may engage in some educational activities. If the facility qualifies as an educational establishment, bona fide teachers may qualify for exemption under the same conditions as a teacher in an elementary or secondary school. Conversely, employees whose primary duty is to provide custodial care for children's basic physical needs are not exempt. If the facility does not qualify as an educational establishment, its employees are not exempt teaching professionals.

References:

[WHD Non-Administrator Opinion Letter FLSA2008-13NA \(Sept. 29, 2008\)](#)

(d) Career- or trade-school instructors.

Instructors at post-secondary career or trade schools may be exempt if they are employed in an educational establishment. If so, the instructors will be exempt if their primary duty is teaching.

References:

[WHD Opinion Letter FLSA2005-29 \(Aug. 26, 2005\)](#)

[WHD Opinion Letter FLSA2005-38 \(Oct. 13, 2005\)](#)

[WHD Opinion Letter FLSA2006-41 \(Oct. 26, 2006\)](#)

[WHD Opinion Letter FLSA2008-9 \(Oct. 1, 2008\)](#)

(e) Adult- or continuing-education instructors.

Instructors in adult- or continuing-education programs are exempt if they are employed in an educational establishment and their primary duty is teaching.

References:

[WHD Opinion Letter FLSA2019-4 \(Apr. 2, 2019\)](#)

(f) Job Corps personnel.

A Job Corps center that provides basic educational instruction and vocational training is considered an educational establishment. Job Corps personnel whose primary duty is teaching are exempt teaching professionals.

References:

[WHD Opinion Letter FLSA \(September 27, 1968\)](#)

(g) Flight instructors.

Flight instructors are exempt teaching professionals if they:

- (1) Are certified in accordance with Part 61 of the Federal Aviation Administration (FAA) regulations, 14 CFR 61;
- (2) Are employed as an instructor by a flight school approved by the FAA under 14 CFR 141; and
- (3) Have the primary duty of teaching.

Examples of exempt teaching activities in this context include student flight instruction, including related ground training such as the maintenance of an airplane engine; instruction in FAA regulations, navigation, meteorology, and radio procedure; maintenance of student progress and accomplishment records; scheduling of students and aircraft used for instruction; liaising with the FAA for current teaching techniques and requirements; and performing minor repairs on aircraft used in training.

References:

[WHD Opinion Letter FLSA \(June 2, 2004\)](#)

(h) Nonexempt employee working part-time as a teacher.

Employees who hold full-time, nonexempt positions with an educational establishment and also teach a course, either as a separate responsibility or as part of their duties, are not exempt because their primary duty is performing the nonexempt work of their full-time position.

References:

[WHD Opinion Letter FLSA2005-29 \(Aug. 26, 2005\)](#)

22d08 Docking salaries of teachers or practitioners of law or medicine.

The salary level and salary basis tests do not apply to teachers or practitioners of law or medicine. Employers may therefore dock the pay of those employees for partial-day absences without losing the exemption.

References:

[WHD Opinion Letter FLSA2005-34 \(Sept. 23, 2005\)](#)

22e COMPUTER EMPLOYEE EXEMPTION: 29 CFR 541.400**22e00 Generally.**

When a 1990 statute instructed the Department of Labor (DOL) to enact regulations that would allow certain computer employees to qualify for FLSA Section 13(a)(1)'s executive, administrative, or professional exemptions, DOL adopted a rule under which they could qualify as learned professionals. In 1996, Congress enacted FLSA Section 13(a)(17), which codified specific duties and wages that would qualify computer employees as exempt. That statute did not give DOL authority to interpret or define those statutory definitions, but it also did not repeal the requirement that DOL have regulations allowing those employees to qualify for a Section 13(a)(1) exemption. The Department thus amended its regulations so qualifying as exempt under the statute also satisfies the requirements for the learned professional exemption. Now, this single test qualifies a computer employee as exempt under both the learned professional exemption and the special exemption for computer employees.

References:

[69 FR 22158–22160](#)

[Field Assistance Bulletin \(FAB\) 2006-3 \(Dec. 14, 2006\)](#)

22e01 Criteria for exemption of computer employees.

- (a) To be exempt as a bona fide computer employee, the employee must:
- (1) Be compensated on a salary or fee basis at a rate not less than the standard salary level or, if paid on an hourly basis, not less than \$27.63 per hour;
 - (2) Be employed as a computer system analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field performing the required duties; and
 - (3) Have a primary duty that consists of:
 - a. Applying systems-analysis techniques and procedures, including consulting with users, to determine functional specifications of hardware, software, or systems;
 - b. Designing, developing, documenting, analyzing, creating, testing, or modifying computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - c. Designing, documenting, testing, creating, or modifying computer programs related to machine operating systems; or
 - d. A combination of these duties, the performance of which requires the same level of skills.
- (b) The exemption does not include employees engaged in manufacturing or repairing computer hardware and related equipment. Nor does it include employees whose work is highly dependent upon, or facilitated by, the use of computers and software (*e.g.*, engineers, drafters

and others skilled in computer-aided design software), but who are not primarily engaged in computer systems analysis, programming, or other similarly skilled occupations identified in the primary duty test. Employees who assist computer users with discrete hardware or software issues—that is, employees often referred to as IT or help-desk specialists or assistants—are generally not exempt.

- (c) “Similarly skilled” computer employees are exempt only if they satisfy the salary and primary duty tests. If they do, the exemption applies regardless of job title—job duties, not job title, determine whether the exemption applies.

References:

[29 CFR 541.400–541.402](#)

[69 FR 22158–22160](#)

[69 FR 22176](#)

[FOH 22j19](#)

22e02 Other exemptions also applicable.

Employees in the computer field may also qualify for the executive or administrative exemptions. For example, a lead programmer may be an exempt executive; an engineer who plans and coordinates the development of systems to solve complex business, scientific, or engineering problems of the employer’s customers qualifies for the administrative exemption. However, as described in FOH 22g02(b), employees who are exempt only under the computer-employee exemption cannot qualify as highly compensated employees.

References:

[29 CFR 541.402](#)

22f OUTSIDE SALES EXEMPTION: 29 CFR 541.500

22f00 Criteria for exemption of outside sales employees.

- (a) To be exempt as an outside-sales employee, the employee must:
- (1) Have a primary duty of:
 - a. making sales or
 - b. obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and
 - (2) Be customarily and regularly engaged away from the employer’s place or places of business in performing his or her primary duty.

The salary and salary basis tests do not apply to outside-sales employees.

- (b) Work performed incidental to and in conjunction with the employee’s own outside sales or solicitations, including incidental deliveries and collections, is exempt outside-sales work. Other work that furthers the employee’s own sales efforts (for example, writing sales reports,

updating or revising the employee’s sales or display catalogue, planning itineraries, and attending sales conferences) is also considered exempt work.

References:

[29 CFR 541.500](#)

22f01 Primary duty test: Making sales or obtaining orders.

- (a) “Sales” include any sale, exchange, contract to sell, consignment for sale, shipment for sale, or other disposition. It includes the transfer of title to tangible property, and in certain cases, of tangible and valuable evidences of intangible property. A transaction will generally qualify as a “sale” if an employee obtains from the solicited party the maximum possible commitment given the market in which the employee operates.

References:

29 USC 3(k)

[29 CFR 541.501\(b\)](#)

[69 FR 22161–22163](#)

Christopher v. SmithKline Beecham Corp., 567 U.S. 142 (2012)

- (b) “Obtaining orders or contracts for services or for the use of facilities” extends the outside-sales exemption to more than just sales of commodities. Obtaining orders “for the use of facilities” includes selling time on radio or television, soliciting advertising for newspapers and other periodicals, and soliciting of freight for railroads and other transportation agencies.

References:

[29 CFR 541.501\(c\)](#)

- (c) “Services” extends the outside-sales exemption to employees who sell or take orders for a service, which may be performed for the customer by someone other than the person taking the order.

References:

[29 CFR 541.501\(d\)](#)

22f02 Customarily and regularly away from employer’s place of business.

- (a) Employees are “away from the employer’s place of business” if they are somewhere that they reach by leaving the employer’s place of business. An employee who makes sales at the customer’s place of business or, if selling door-to-door, at the customer’s home is making sales “away from the employer’s place of business,” as is an employee who makes sales at a public or third-party site that is not the employer’s place of business. However, outside sales do not include sales made by mail, telephone, or the internet unless that contact is merely an adjunct to personal visits to the customer.

References:

[29 CFR 541.502](#)

[WHD Opinion Letter FLSA2007-1 \(Jan. 25, 2007\)](#)

[WHD Opinion Letter FLSA2007-2 \(Jan. 25, 2007\)](#)

- (b) Any fixed site, whether home or office, used by a salesperson as a headquarters or for telephonic solicitation of sales is considered one of the employer's places of business, even if the employer is not in any formal sense the owner or tenant of the property. However, displaying samples in hotel sample rooms during trips from city to city are not considered as the employer's places of business. Similarly, if selling, rather than just sales promotion, occurs, a display of products at a trade show of short duration (such as one or two weeks) is not considered an employer's place of business.

References:

[29 CFR 541.502](#)

- (c) An employee who does not qualify for the outside-sales exemption may still be exempt as a commission-based sales employee under Section 7(i) of the FLSA, which is described in FOH 21.

References:

29 USC 207(i)

[29 CFR 779.410–779.420](#)

[69 FR 22162](#)

FOH 21

22f03 **Promotion work.**

Whether promotion work is exempt outside-sales work depends on the circumstances. Promotional work incidental to and in conjunction with an employee's own outside sales or solicitations is exempt work. Promotional work that is *not* incidental to an employee's own outside sales, or that is incidental to sales made or to be made by someone else, is not exempt outside sales work. Arranging merchandise on shelves or replenishing stock is not exempt outside sales work unless it is incidental to and in conjunction with the employee's own outside sales.

References:

[29 CFR 541.503](#)

22f04 **Drivers who sell.**

- (a) Drivers who both deliver and sell products are exempt outside-sales employees if their primary duty is making sales. Loading, driving, and delivering the products that the employee sells is work incidental to and in conjunction with the employee's own outside sales and is exempt outside sales work.
- (b) Several factors affect whether a driver's primary duty is making sales. These include:
- (1) Comparing the driver's duties with those of employees engaged as drivers and as salespersons;

- (2) Whether the driver has required sales or solicitation licenses;
 - (3) Whether there are customary or contractual arrangements concerning amounts of products to be delivered;
 - (4) The description of the employee's occupation in collective bargaining agreements;
 - (5) The duties and qualifications given by the employer for the position when hiring;
 - (6) Sales training and attendance at sales conferences;
 - (7) The method of payment; and
 - (8) The proportion of the employee's earnings attributable to sales.
- (c) See [29 CFR 541.504\(c\)](#) and [\(d\)](#) for examples of drivers who would, and who would not, qualify as exempt outside sales employees.

References:

[29 CFR 541.504](#)

22g HIGHLY COMPENSATED EMPLOYEE TEST: 29 CFR 541.601

22g00 Background.

The highly compensated employee (HCE) test is an alternative method for determining whether an employee qualifies as an exempt executive, administrative, or professional employee. High compensation itself strongly indicates that a white-collar employee is exempt, making a detailed analysis of job duties unnecessary. Because the compensation itself is an indication of exempt status, the employee needs to regularly and customarily perform only a single executive, administrative, or professional duty or responsibility to qualify as exempt.

References:

[29 CFR 541.601](#)

[69 FR 22173–22174](#)

22g01 Test for highly compensated employees.

An employee is an exempt HCE if the employee:

- Has a primary duty that includes performing office or non-manual work;
- Receives total annual compensation of at least \$107,432, including at least \$684 per week on a salary basis; and
- Customarily and regularly performs at least one exempt executive, administrative, or professional duty or responsibility.

References:

[29 CFR 541.601](#)

22g02 Qualifying duties.

(a) Single customary and regular duty qualifies.

Because the high compensation itself is an indication of exempt status, employees who meet the HCE earnings threshold are exempt if they customarily and regularly perform even one exempt executive, administrative, or professional duty. For example, an employee who meets the earning thresholds might customarily and regularly direct the work of two or more other employees but meet none of the other requirements for the executive exemption; the employee would be an exempt HCE.

References:

[29 CFR 541.601\(c\)](#)
[69 FR 22173–22174](#)

(b) Computer-related occupations and duties do not qualify.

The Department defined the executive, administrative, and professional exemptions by regulation. It created the HCE test by regulation to determine whether employees satisfy one of those definitions. The duties for the computer-employee exemption, on the other hand, are defined by the FLSA itself. Because the Department's regulation cannot override the FLSA, the abbreviated duties test under the HCE exemption cannot be applied to employees in computer-related occupations.

References:

[69 FR 22176](#)

22g03 Compensation.

(a) Required compensation.

- (1) An employee's pay must satisfy two conditions to qualify as an HCE:
 - a. The employee's annual compensation must total at least \$107,432.
 - b. The employee must receive at least \$684 per week (\$35,568 per year) paid on a salary or fee basis.

That is, the employee must be paid a weekly salary that is at least \$684. The balance of the employee's annual compensation may be in commission and nondiscretionary bonus and incentive payments. The difference between discretionary and nondiscretionary payments is discussed in FOH 31.

- (2) For example, an employee's annual compensation is \$131,200—a monthly salary of \$2,600 (\$31,200 per year) and commissions of \$100,000. The employee meets the annual-compensation threshold. However, the employee would not qualify as an HCE because the employee's per-week salary (\$31,200 divided by 52 weeks) is only \$600, which is less than the required \$684.

- (3) Total annual compensation may include commissions, nondiscretionary bonuses, and other nondiscretionary compensation earned during a year. It may not include board, lodging, and other facilities. Nor may it include payments for medical insurance, payments for life insurance, contributions to retirement plans, or the cost of other fringe benefits.

References:

[29 CFR 541.601\(a\), \(b\)\(1\)](#)
[29 CFR 541.606](#)
[29 CFR 531.29–531.32](#) (board, lodging, and other facilities)
[29 CFR Part 778](#) (discretionary and non-discretionary payments)
 FOH 31 (discretionary and non-discretionary payments)
 FOH 30 (board, lodging, and other facilities)

(b) Catch-up payments.

- (1) If an employee's total annual compensation does not reach the high-compensation threshold by the last pay period of the year, the employer may, during the last pay period or within one month after the end of the year, make a final payment sufficient to meet the threshold. A catch-up payment made after the end of the year may count only toward the previous year's total annual compensation; it may not count toward the total annual compensation in the year it was paid.
- (2) If the employer does not make a catch-up payment, the employee does not qualify as an HCE, but might for a Part 541 exemption under the general tests.

References:

[29 CFR 541.601\(b\)\(2\)](#)

(c) Calculating total annual compensation.

- (1) The employer may use any 52-week period as the compensation year, such as a calendar year, a fiscal year, or an anniversary-of hire-year. If the employer does not identify some other period in advance, the calendar year applies.
- (2) Employees who do not work a full year for the employer may qualify as exempt HCEs. To do so, they must receive a portion of the annual threshold amount proportional to the number of weeks employed. As with employees employed for an entire year, an employer has one month after the final or year-end pay period to make a catch-up payment to meet the required compensation threshold.

References:

[29 CFR 541.601\(b\)\(3\), \(4\)](#)

22h SALARY LEVEL AND SALARY BASIS REQUIREMENTS: 29 CFR 541.600

22h00 General.

- (a) Part 541 exemptions generally have two salary-related requirements:
- (1) The *salary basis test* requires that the employee be paid a predetermined and fixed salary that cannot be reduced because of variations in the quality or quantity of the work performed.
 - (2) The *salary level test* requires that the employee be paid a minimum specified amount, which is generally the standard salary level.
- (b) Satisfying the salary requirements alone does not mean that an employee is exempt. The employee must also pass the applicable duties test.

References:

[29 CFR 541.600](#)

22h01 Occupations exempt from one or both salary tests.

- (a) Occupations with alternative salary level tests.
- (1) *Academic administrative employees* may be compensated on a salary basis at a rate no lower than the entrance salary for teachers in the employing educational establishment.
 - (2) *Computer-related employees* may be compensated on an hourly basis at not less than \$27.63 per hour.
- (b) **Occupations exempt from the salary basis test.**

Employees in the motion-picture producing industry may be compensated on a non-salary basis if their daily base pay equates to at least \$1,043 per six-day workweek (that is, \$173.83 per day).

- (c) **Occupations exempt from both tests.**

Persons in these occupations do not have a minimum required salary and need not be paid on a salary basis:

- (1) Teaching professionals;
- (2) Practicing lawyers;
- (3) Practicing physicians, including interns and residents;
- (4) Outside-sales employees; and
- (5) Executives who own a bona fide 20% equity interest in the employing enterprise and are actively engaged in managing the enterprise.

References:

[29 CFR 541.101](#)

- [29 CFR 541.303](#)
- [29 CFR 541.304](#)
- [29 CFR 541.400\(b\)](#)
- [29 CFR 541.500](#)
- [29 CFR 541.600\(c\), \(e\)](#)
- [29 CFR 541.709](#)

22h02 Salary level test.

- (a) Compensation at standard salary level required.

Most Part 541 exemptions require that the employee be compensated at a rate not less than the standard salary level. Executive employees must be paid on a salary basis; administrative, professional, and computer employees may be paid on a salary basis or on a fee basis. The standard salary level is not a minimum-wage requirement; no employer is required to pay an employee a standard salary level unless the employer is claiming an exemption that requires paying such a salary.

References:

- [29 CFR 541.600\(a\)](#)

- (b) **Current and former earnings thresholds.**

Earning threshold	2020 and later	2019 and earlier
Standard salary level	\$684 per week	\$455 per week
Mariana Isls., Guam, Puerto Rico, Virgin Isls.	\$455 per week	\$455 per week
American Samoa	\$380 per week	\$380 per week
HCE annual compensation	\$107,432 per year <i>including</i> at least \$684 per week	\$100,000 per year <i>including</i> at least \$455 per week
Motion-picture base rate	\$1,043 per week	\$695 per week

- (1) The amounts for the standard salary level, the HCE annual compensation level, and the motion-picture base rate are exclusive of board, lodging, and other facilities.
- (2) Employers may satisfy up to ten percent of the standard salary level with nondiscretionary bonus, incentive, and commission payments.
- (3) The standard salary levels for the Northern Mariana Islands, Guam, Puerto Rico, the Virgin Islands, and American Samoa apply to employers other than the federal government.

References:

- [29 CFR 541.600](#)
- [29 CFR 541.601](#)
- [29 CFR 541.709](#)

(c) Standard salary level measured by different pay periods.

The weekly salary basis may be converted for pay periods longer than one week as shown in this chart. However, the shortest period of payment that will meet this compensation requirement is one week.

Earning threshold	Weekly	Biweekly	Semimonthly	Monthly	Annual
Standard salary level	\$684	\$1,368	\$1,482	\$2,964	\$35,568
Northern Mariana Islands, Guam, Puerto Rico, U.S. Virgin Islands <i>and</i> pre-2020 standard	\$455	\$910	\$985.83	\$1,971.67	\$23,660
American Samoa	\$380	\$760	\$823.33	\$1,646.67	\$19,760

References:

[29 CFR 541.600\(b\)](#)

(d) Employees who work less than a full year.

Employees who do not work a full year meet the salary test if they receive a pro-rata portion of the standard salary level based on the number of workweeks employed. As with employees who work for the full year, an employer may make a final catch-up payment of nondiscretionary bonuses, commissions, and incentive payments, constituting up to 10% of the employee’s pro-rata salary, within one pay period after the end of an employee’s employment.

References:

[29 CFR 541.602\(a\)\(3\)](#)
[FOH 22h03\(e\)](#) (catch-up payments)

(e) Salary paid by joint employers.

If an employee is jointly employed by two or more employers that each pay the employee on a salary basis, the combined salaries determine whether the minimum salary requirement has been met.

References:

[29 CFR 791.2\(a\)](#)

22h03 Nondiscretionary bonus income included in standard salary level.

(a) Income that may be counted toward 10 percent of standard salary level.

An employer may use nondiscretionary bonuses, incentives, and commissions, paid annually or more frequently, to satisfy up to 10 percent of the standard salary level. For annual bonuses, the employer may use as the year any 52-week period, such as a calendar year, a fiscal year, or an anniversary-of-hire year. If the employer does not identify a different period in advance, the calendar year will apply.

References:

[29 CFR 541.602\(a\)\(3\)](#)

(b) No cap on employee earnings.

The 10-percent “cap” is a ceiling on the amount an employer may credit toward the standard salary level. It does not limit or restrict the bonuses an employee can earn or that an employer may pay. Employees are free to earn, and employers are free to pay, amounts above that cap.

References:

[29 CFR 541.604\(a\)](#)
[84 FR 51249](#)

(c) Discretionary vs. nondiscretionary payments.

The principles in Section 7 of the FLSA and the implementing regulations in Part 778, which are discussed in FOH 32, determine whether bonuses and other forms of compensation are nondiscretionary. In general:

- (1) Amounts promised in advance or that an employee has a contractual right, express or implied, to receive are nondiscretionary.
- (2) An employer may have discretion over whether to pay an employee a bonus and over the amount to pay as a bonus. If the employer retains discretion over both the payment and the amount of the payment until at or near the time that the bonus is to be paid—for example, a surprise holiday bonus—the payment is discretionary. Otherwise, it is nondiscretionary.

References:

29 USC 207
[29 CFR Part 778](#)
FOH 32

(d) Catch-up payments.

- (1) *Catch-up payment allowed.*

If by the last pay period of the year the sum of the payments to the employee—salary plus nondiscretionary bonuses, incentives, and commissions—is less than the annualized standard salary level, the employer may make a catch-up payment to reach that level. The deadline to make that catch-up payment is one pay period after the end of the year. A catch-up payment is limited to 10 percent of the annualized

salary and counts only toward the earlier year’s salary requirement, not the year in which it is paid.

(2) *Maximum catch-up payment in general.*

Because nondiscretionary payments may count for only 10 percent of the standard salary level, the maximum catch-up payment is 10 percent of the annualized standard salary level, shown in this chart:

Earning threshold	Max. catch-up payment
Standard salary level	\$3,556.80
Mariana Isls., Guam, Puerto Rico, U.S. Virgin Isls.	2,366.00
American Samoa	1,976.00

(3) *Maximum catch-up payment to particular employees.*

For the same reason, the maximum catch-up payment to a particular employee is the difference between the 10-percent cap and the amount of nondiscretionary bonuses, incentives, and commissions the employee has already received. For example, an employee who had received \$3,000 in nondiscretionary bonuses through the last pay period of the year could receive a catch-up payment of no more than \$556.80—the difference between the \$3,556.80 cap and the \$3,000 already received.

Because of this 10 percent cap, it is impossible for a catch-up payment to reach the annualized standard salary level unless the employee’s weekly salary has been at least 90 percent of that level.

(4) *Catch-up cap does not limit employee earnings or employer payments.*

As described in FOH 22h03(b), the 10-percent “cap” is a ceiling on the amount an employer may credit toward the standard salary level. It does not limit or restrict the bonuses an employee can earn or that an employer may pay. Employees are free to earn, and employers are free to pay, amounts above that cap.

(5) *Consequences of missed catch-up payment.*

- a. If an employer does not make a timely catch-up payment that raises an employee’s total payments to the annualized standard salary level, the employee will have been nonexempt for the previous year and entitled to overtime pay for overtime hours worked during that year. Late or insufficient catch-up payments do not satisfy the obligation to pay this overtime pay.
- b. An employer acting in good faith may classify the employee as exempt during the new year if the employee receives on a salary basis at least 90 percent of the standard salary level.

(6) *30-day catch-up deadline does not apply.*

Catch-up payments to meet the standard salary level must be made within one pay period after the end of the year. The one-month deadline to make a catch-up payment applies only to catch-up payments to meet the HCE total annual compensation threshold.

References:

[29 USC 207\(e\)\(3\)\(a\)](#)
[29 CFR 541.602\(a\)\(3\)](#)
[84 FR 51249](#)
[Fact Sheet 17U](#)

22h04 Salary basis test.

(a) Definition.

Being paid “on a salary basis” means that the employee:

- (1) Regularly receives each pay period
- (2) A predetermined amount of compensation
- (3) That cannot be reduced because of variations in the quality or the quantity of work performed by the employee.

The pay period may be on a weekly or less frequent basis.

References:

[29 CFR 541.602\(a\)](#)

(b) Full salary required each week.

Exempt employees must receive the full salary for every week in which they perform work, regardless of the number of days or hours worked. However, exempt employees need not be paid for a workweek in which they perform no work. If the employer makes deductions from the employee’s predetermined salary because of absences that are caused by the employer or by the business’s operating requirements, the employee is not paid on a salary basis. If an exempt employee is ready, willing, and able to work, deductions may not be made for time when work is not available.

References:

[29 CFR 541.602\(a\)](#)
[WHD Opinion Letter FLSA2005-1 \(Jan. 7, 2005\)](#)

22h05 Deductions that do not violate the salary basis rule.

(a) List of exceptions.

There are seven exceptions to the “no pay-docking” rule:

(1) *Personal reasons.*

An employer may deduct for each full day an employee is absent from work for personal reasons other than sickness or disability. Deductions are limited to full-day increments. If an exempt employee is absent for 1-½ days for personal reasons, the employer may deduct only for the one full-day absence.

(2) *Sickness or disability under certain circumstances.*

An employer may deduct for each full day an employee is absent from work due to sickness or disability (including work-related accidents) if the deduction is made according to a bona fide plan, policy, or practice of compensating for salary lost for these types of absences. The plan, policy, or practice may be a state disability-insurance law or state workers' compensation law. The employer does not have to pay any part of the employee's salary for full-day absences (a) for which the employee receives compensation under the plan, policy, or practice; (b) before the employee has qualified under the plan, policy, or practice; or (c) after the employee has exhausted the leave allowance under the plan, policy, or practice.

(3) *Offsets for jury duty, witness fees, and military pay.*

An employer cannot deduct from an exempt employee's salary for absences caused by jury duty, attendance as a witness or temporary military leave. However, if the employee received jury fees, witness fees, or military pay, the employer may offset those amounts against the salary due for that particular week. Military subsistence payments are pay for board, lodging, or other facilities, so an employer may not offset an employee's salary by the amount of such a payment.

(4) *Infractions of safety rules of major significance.*

An employer can make deductions for penalties imposed in good faith for infractions of safety rules of major significance, including those related to preventing serious danger in the workplace or to employees. Performance and attendance issues do not qualify.

(5) *Disciplinary suspensions under written conduct policy.*

An employer can make deductions in full-day increments for unpaid disciplinary suspensions imposed in good faith under a written workplace-conduct policy that applies to all employees. This exemption is for serious workplace misconduct, not performance or attendance issues—for example, sexual harassment, violence in the workplace, drug or alcohol violations, or violations of state or federal laws. The suspension can be for off-site conduct if the policy covers such conduct.

(6) *Initial and final weeks of employment.*

An employer may pay an hourly or daily proportional part of an exempt employee's salary for the time actually worked in the initial and final weeks of employment. However, employees are not paid on a salary basis if they are employed occasionally for a few days at a time and the employer pays them a proportional part of the weekly salary when so employed.

(7) *FMLA leave.*

When an employee takes unpaid leave under the Family and Medical Leave Act, an employer may pay a proportionate part of the employee's salary for time actually worked.

References:

37 USC 402–403 (military subsistence)
[29 CFR 541.602\(b\)](#) (list of exceptions)

(b) Full-day vs. partial-day deductions.

Deductions for partial-day absences generally violate the salary basis rule. Deductions may be taken only for “one or more full days” of absence and only in full-day increments. For example, if an employee is absent for 1-½ days to handle personal affairs, the employer may deduct only one day of pay from the employee's salary. The employee must receive a full day's pay for the partial day worked to satisfy the salary basis rule. Partial-day deductions can be taken only for an employee's initial and final weeks of employment and for FMLA leave.

References:

[69 FR 22178](#)
[WHD Opinion Letter FLSA2018-7 \(Jan. 5, 2018\)](#)

(c) Amount of deductions.

Deductions may be made based on the hourly or daily equivalent of the employee's salary. For example, if an exempt employee is absent for personal reasons from a 9.5-hour shift, the employer may deduct the equivalent of 9.5 hours of pay. Similarly, if the employee has a five-day workweek and takes four days of personal leave, the employer may pay the employee 20% of the usual salary because the employee worked only 20% of the days.

References:

[29 CFR 541.602\(a\)–\(c\)](#)
[WHD Opinion Letter FLSA2009-14 \(Jan. 15, 2009\)](#)
[WHD Opinion Letter FLSA2018-7 \(Jan. 5, 2018\)](#)

(d) Deductions from leave banks.(1) *Employees with accrued leave.*

Some employers adopt policies and plans granting employees a bank of time to use to leave for vacation, sickness, school events, or family medical needs. When an exempt employee is absent from work, even for less than a full day, those employers may deduct from the employee's leave bank the amount of time the employee was absent from work. These deductions do not violate the salary basis rule as long as the employee receives the full amount of guaranteed salary.

(2) *Employees without, or with insufficient, accrued leave.*

Exempt employees who have no accrued leave and are absent for less than a full day must be paid their full guaranteed salary. If the employee's accrued leave is insufficient to cover an entire day's absence, the employer may deduct the accrued time from the employee's leave bank and pay the employee the balance of the daily equivalent salary. For example, an exempt employee with four hours of accrued leave has a salary of \$1,000 per week. If the employee misses a full eight-hour day of work, the employer complies with the salary basis rule if it deducts those four hours from the employee's leave bank and pays the employee \$100 for that day—the equivalent of one half of one day's salary.

References:

[29 CFR 541.602](#)
[WHD Opinion Letter FLSA2004-5 \(June 25, 2004\)](#)
[WHD Opinion Letter FLSA2005-7 \(Jan. 7, 2005\)](#)
[WHD Opinion Letter FLSA2007-6 \(Feb. 8, 2007\)](#)
[WHD Opinion Letter FLSA2009-18 \(Jan. 16, 2009\)](#)
[WHD Opinion Letter FLSA2018-7 \(Jan. 5, 2018\)](#)

(e) Examples.(1) *Inclement weather.*

A deduction when an employee is absent for a full day due to inclement weather is a permissible deduction for a personal absence if the employer is open for business.

(2) *Safety rules of major significance.*

These rules include subjects such as prohibiting smoking in explosive plants, oil refineries, and coal mines. Industrial-security regulations required by a government agency are considered such rules. Rules concerning matters such as patient well-being or abuse or neglect of a patient are not.

References:

[WHD Opinion Letter FLSA-802 \(Nov. 27, 1963\)](#)
[WHD Non-Administrator Opinion Letter FLSA \(Mar. 29, 1991\)](#)
[WHD Non-Administrator Opinion Letter FLSA \(Oct. 29, 1998\)](#)

(3) *Shortages, damages, and loss of equipment.*

Deductions for cash-register shortages, equipment damage, or loss of equipment are impermissible as they do not fall under one of the seven listed permissible categories.

References:

[WHD Opinion Letter FLSA2006-7 \(Mar. 10, 2006\)](#)

(4) *Fines, settlements, and judgments.*

Employers occasionally incur fines or pay settlements or judgments that could arguably be blamed on an exempt employee. The employer may not deduct those amounts from the employee's salary as they do not fall under one of the seven listed permissible categories.

References:

[69 FR 22177–22178](#)

- (5) *Working fewer hours than required.*

Deductions for working fewer hours than required or expected are impermissible. This is the case even if the absence is at the employer's direction or is the result of a suspension (for something other than violating a workplace-misconduct rule).

References:

[WHD Opinion Letter FLSA2005-01 \(Jan. 7, 2005\)](#)

- (6) *Lawyers, physicians, teachers, and outside sales employees.*

The prohibition against salary deductions does not apply to employees who are not subject to the salary basis requirement. Employers may therefore dock the pay of those exempt employees for partial-day absences without losing the exemption.

References:

[WHD Opinion Letter FLSA2005-16 \(Apr. 11, 2005\)](#)

[WHD Opinion Letter FLSA2005-34 \(Sept. 23, 2005\)](#)

22h06 Effect of improper deductions from salary.

(a) Fair reading of improper-deduction rules.

As with all rules regarding the exemption, WHD reads the improper-deduction rules fairly, not narrowly. The improper-deduction rules themselves prohibit unduly technical readings meant to defeat a Part 541 exemption.

References:

[29 CFR 541.603\(e\)](#)

Encino Motorcars, LLC, v. Navarro, 138 S.Ct. 1134 (2018)

(b) Loss of exemption.

An employer loses an exemption if it did not intend to pay employees on a salary basis. An employer demonstrates this intent through an actual practice of making improper deductions. Whether improper deductions are an actual practice depends on factors including:

- (1) The number of improper deductions, particularly as compared to the number of employee infractions warranting discipline;

- (2) The time period during which the employer made improper deductions;
- (3) The number and geographic locations of employees whose salary was improperly reduced;
- (4) The number and geographic locations of managers responsible for making the improper deductions; and
- (5) Whether the employer has a clearly communicated policy permitting or prohibiting improper deductions.

References:

[29 CFR 541.603\(a\)](#)

(c) Duration and breadth of lost exemptions.

An employer that has an actual practice of making improper deductions loses the exemption for certain employees over a certain time period:

- (1) The employees who received improper deductions become nonexempt. So do employees who (a) have the same job classification as those employees and (b) work for the managers responsible for the improper deductions. Employees in different job classifications or who work for different managers do not lose their exempt status.
- (2) The exemption is lost for the time period in which the improper deductions were made.

For example, if a manager at a company facility routinely docks the pay of engineers at that facility for partial-day personal absences, the employer loses the exemption for all engineers at that facility whose pay could have been improperly docked by that manager. Engineers who work for other managers remain exempt, as do non-engineer employees at the facility.

References:

[29 CFR 541.603\(b\)](#)

(d) Remediating improper deductions.

If improper deductions are isolated or inadvertent, an employer does not lose the exemption if it reimburses the employees for the improper deductions. Inadvertent deductions are those taken unintentionally, for example, as a result of a clerical or time-keeping error. Whether deductions are isolated depends on the same factors that determine whether improper deductions are an actual practice.

References:

[29 CFR 541.603\(c\)](#)

[69 FR 22181](#)

(e) Safe harbor for employers that adopt an appropriate policy.

(1) *Appropriate policy.*

An employer will not lose an exemption due to improper deductions if it:

- a. Has a clearly communicated policy that prohibits improper deductions,
- b. Has as part of that policy a mechanism for complaining about improper deductions,
- c. Reimburses employees for improper deductions, and
- d. Makes a good-faith commitment to comply with the salary basis rule in the future.

(2) *Loss of exemption due to violation of policy.*

The employer will lose the exemption if it does not reimburse employees for improper deductions or continues to make improper deductions after receiving employee complaints. In that case, it will lose the exemption in the same manner as if it had not adopted the policy.

(3) *“Clearly communicated.”*

Examples of the ways a policy can be clearly communicated are giving a copy of the policy to employees when they are hired, publishing it in an employee handbook, and distributing it to employees over the employer’s intranet. Although a written policy is the best evidence, it is not necessary as long as the policy was clearly communicated to employees before an impermissible deduction was made.

(4) *Good-faith commitment.*

Examples of ways an employer could show a good-faith commitment to complying with the salary basis rule are re-publishing the improper-deduction policy to employees; posting a notice including such a commitment on an employee bulletin board or the employer’s intranet; training managers and supervisors on the policy and the employer’s commitment; reprimanding or training the offending manager; and establishing a telephone number for employees to file complaints concerning improper deductions.

(5) *Safe harbor available regardless of reason for improper deduction.*

The safe harbor is available regardless of the reason for the improper deduction. For example, an employer with a clearly communicated policy prohibiting improper deductions may have a manager who engages in an actual practice (neither isolated nor inadvertent) of making improper deductions. Regardless of the reasons for the deductions, the employer would not lose the exemption if its policy includes a complaint mechanism, and, after receiving and investigating an employee complaint, it reimburses the employees for the improper deductions and makes a good-faith commitment to comply in the future.

(6) *Reasonable time for employer to investigate complaint.*

An employer has a reasonable amount of time to investigate and, if necessary, correct an employee's complaint of improper deductions. The amount of time depends upon the circumstances, but an employer should begin its investigation promptly. The employer's receiving other employee complaints before it completes the investigation does not, by itself, defeat the safe harbor.

References:

[29 CFR 541.603\(d\)](#)
[69 FR 22181–22183](#)

22h07 Exempt and nonexempt employees may work in the same capacity.

Exemptions depend upon an employee's pay and job duties, not the exemption status of other employees. That is, an employer need not claim the exemption for every employee who qualifies as exempt; one employee's status as a salaried, exempt employee is not affected by another employee's status as an hourly, nonexempt employee, even if the employees share the same job duties. For example, a hospital that assigns identical duties to all of its registered nurses may employ some of the nurses on an hourly, nonexempt basis and others on a salaried, exempt basis. As long as the salaried nurses' duties qualify them as exempt, the fact that other nurses with the same duties are paid on a different basis does not cause them to lose their exempt status.

References:

[WHD Opinion Letter FLSA2005-20 \(Aug. 19, 2005\)](#)

22h08 Minimum guarantee plus extras.

- (a) Exempt employees who are guaranteed at least the standard salary level may receive compensation beyond their guaranteed salary without violating the salary basis requirement. Thus, for example, such an employee may also receive as additional compensation a commission on sales or a percentage of sales or profits. Similarly, the exemption is not lost if such an employee receives additional compensation based on hours worked beyond the normal workweek. This additional compensation may be paid on any basis (*e.g.*, flat sum, bonus payment, straight-time hourly amount, time and one-half, or any other basis) and may include paid time off.

References:

[29 CFR 541.604](#)
[WHD Opinion Letter FLSA2005-20 \(Aug. 19, 2005\)](#)
[WHD Opinion Letter FLSA2006-43 \(Nov. 27, 2006\)](#)

- (b) The prohibition against deductions from the guaranteed salary does not extend to this additional compensation as long as the additional compensation is bona fide and not paid to facilitate otherwise improper deductions. For example, deductions for cash shortages may be made from a salaried exempt employee's bona fide commission payments without affecting the employee's exempt status.

References:

[WHD Opinion Letter FLSA2006-24 \(Nov. 27, 2006\)](#)

22h09 **Computation of salary on an hourly, daily, or shift basis.**

- (a) An employer may calculate an exempt employee's earnings on an hourly, daily, or shift basis if:
- (1) The employee is guaranteed to be paid, regardless of the number of hours, days, or shifts worked, at least the standard salary level on a salary basis; and
 - (2) There is a reasonable relationship between the guaranteed amount and the amount actually earned.
- (b) There is a reasonable relationship between the two amounts if the weekly guarantee is roughly equivalent to the employee's usual earnings at the assigned rate for the employee's normal scheduled workweek. For example, if exempt employees who normally work four or five shifts each week are guaranteed at least \$725 for any week in which they perform work, they may be paid \$210 per shift without violating the salary basis requirement. (The employees must receive the full \$725 for workweeks in which they work fewer than four shifts).
- (c) The reasonable-relationship requirement applies only when the employee's pay is computed on an hourly, daily, or shift basis. It does not apply, for example, to an exempt store manager paid a guaranteed salary who also receives a commission of one-half percent of store sales or five percent of the store's profits, which in some weeks may even exceed the guaranteed salary.
- (d) Average weekly earnings over the course of a year is a reasonable method of calculating an employee's usual earnings. A year ordinarily encompasses sufficient variations in an employee's earnings and hours to calculate what is "usual."
- (e) A 1.5-to-1 ratio of actual earnings to guaranteed weekly salary is a "reasonable relationship."

References:

[29 CFR 541.602](#)

[29 CFR 541.604\(b\)](#)

[WHD Opinion Letter FLSA2018-25 \(Nov. 8, 2018\)](#)

22h10 **Fee basis.**

- (a) Administrative, professional, and computer employees may be paid on a fee basis. A fee-basis payment is an agreed sum for completing a single job regardless of the time required to complete the work. These payments resemble piecework payments with an important distinction: Piecework payments are for a series of jobs repeated an indefinite number of times and for which payment on an identical basis is made over and over again. A fee payment, on the other hand, is generally paid for jobs that are unique. Payments based on the number of hours or days worked and not on the accomplishment of a single task are not payments on a fee basis.

- (b) To be eligible for fee-basis payments, the character or nature of the job itself must be truly unique. It is not enough that performing the job may vary from day to day; the outcome of the work must be original in character.
- (c) Fee payments satisfy the standard salary level if the per-job fee multiplied by the time worked to complete the job would yield at least the standard salary level per week if the employee worked 40 hours. For example, an artist paid \$350 for a picture that took 20 hours to complete meets the minimum \$684 requirement for exemption because working 40 hours at that rate would yield the artist \$700.
- (d) Examples of non-fee-basis payments are payments based on:
 - (1) An amount per transaction or per line, which are more properly viewed as piece rate payments;
 - (2) A percentage of hourly amounts billed or charged to a client;
 - (3) The number of hours or days worked;
 - (4) The number of tests reviewed and evaluated by a healthcare provider; and
 - (5) The number of patient visits made by a healthcare provider.

References:

[29 CFR 541.605](#)

[WHD Opinion Letter WHD-514 \(Apr. 15, 1982\)](#)

[WHD Opinion Letter FLSA2005-24 \(Aug. 26, 2005\)](#)

[WHD Non-Administrator Opinion Letter FLSA \(Nov. 9, 1998\)](#)

22h11 Board, lodging, or other facilities.

- (a) The salary payment must be “exclusive of board, lodging, or other facilities” to satisfy the salary level test. That is, all payments made to satisfy the standard salary level or the highly compensated employee annual threshold must be free and clear or independent of credit claimed for non-cash items of value furnished by an employer. An employer-employee agreement may require the employer to furnish board, lodging, or other facilities to the employee, but the cost of those items cannot count towards the standard salary level.
- (b) “Other facilities” refers to items similar to board and lodging. Examples include meals furnished at company restaurants or cafeterias or by hospitals, hotels, or restaurants to their employees; meals, dormitory rooms, and tuition furnished by a college to student employees; merchandise furnished at company stores or commissaries, including food, clothing, and household effects; housing furnished for employees’ dwelling; and transportation furnished to employees for ordinary commuting between their homes and work.

References:

[29 CFR 531.32](#)

[29 CFR 541.606](#)

22h12 Practices that do not violate the salary level and salary basis tests.

(a) Salary earned in a shorter period but paid over a year.

An employer may prorate the salary of an otherwise-exempt employee who has a duty period of less than a full year. For example, a school employs a nurse on a 10-month basis and pays her at the 10-month equivalent of the standard salary level. The school may spread the nurse's salary payments over 12 months rather than 10 even though each individual payment would be less than the standard salary level. The prorated payments comply with the salary basis test because they are predetermined, periodically paid amounts that do not vary based on quantity or quality of work and the nurse receives the full amount of salary for each week worked. They comply with the salary level test because, while the timing of the payments is different, the employee is paid the standard salary level per week of work. The employer and employee may determine by contract when the employee's salary payments are to be made; that timing is not part of the FLSA or Part 541 regulations.

References:

Walling v. A.H. Belo Corp., 316 U.S. 624, 634–635 (1942)
[29 CFR 541.602\(a\)](#)
[WHD Opinion Letter FLSA \(December 27, 1967\)](#)

(b) Salary reduction as a result of reduced workweek.

An employer may prospectively reduce an exempt employee's predetermined salary or workweek if it is a bona fide reduction in salary and not an attempt to evade the salary basis requirement. Changes in an exempt employee's salary or workweek are bona fide if they reflect long-term business needs rather than short-term fluctuations in the employer's business. For example, as long as the employee's salary remains at least the standard salary level, an employer could reduce an exempt employee's salary by 20% if it reduces the employee from a five-day to a four-day workweek.

References:

[WHD Opinion Letter FLSA2004-5 \(June 25, 2004\)](#)
[Fact Sheet 70](#)

(c) Requiring exempt employees to make up missed time.

The number of hours worked by an exempt employee is determined by the employment agreement, whether formal or informal. Thus, while an employer cannot dock an exempt employee's pay for personal absences of less than a day, it can require that employee to make up work time lost due to those absences. Such a requirement to make up time is a time-and-attendance matter, not a workplace-conduct rule for which an employer may impose a disciplinary suspension.

References:

[WHD Opinion Letter FLSA2006-6 \(Mar. 10, 2006\)](#)
[FOH 22h09](#)

(d) Deductions from leave banks.

The FLSA does not require employers to offer leave or vacation time. An employer that does offer such time can require that employees use it on specific days, thus reducing time available in a leave bank. An employer can, for example, deduct from an employee's leave bank on days when the employer's site is closed due to poor weather, the employer's plant is temporarily shut down, or staffing levels need to be temporarily reduced. The employee must still be paid the guaranteed amount of salary.

References:

[WHD Opinion Letter FLSA2005-41 \(Oct. 24, 2005\)](#)

[WHD Opinion Letter FLSA2005-46 \(Oct. 28, 2005\)](#)

[WHD Opinion Letter FLSA2009-2 \(Jan. 14, 2009\)](#)

(e) Deductions to offset compensation from bona fide sick or disability-insurance benefits plans.

- (1) An employer that complies with a bona-fide disability-insurance benefit plan, including a state disability-insurance or worker's-compensation law, complies with the salary basis requirement. This is true even if the employee receives no pay for some period during an illness or the disability-leave pay is less than the employee's predetermined salary. For example, an employer's short-term disability-insurance plan replaces an employee's salary for 12 weeks beginning on the fourth day of absence. The employer may deduct from the employee's pay for the three days before the employee qualifies for benefits; for the twelve weeks the employee's salary is replaced by the benefits; and for absences after the employee has exhausted the benefits.
- (2) There is no bright-line test for how many days of leave a plan must allow or how long a waiting period it may require to be considered a bona-fide plan. WHD has deemed as bona fide plans that allow for at least 6 days of sick leave per year and a plan that required a year of service before eligibility for sick-pay benefits.

References:

[29 CFR 541.602\(b\)\(2\)](#)

[WHD Non-Administrator Opinion Letter FLSA \(August 15, 1972\)](#)

[WHD Opinion Letter FLSA2006-32 \(Sept. 14, 2006\)](#)

(f) Salary during periods of partial disability.

A disability plan that pays employees a fixed, reduced salary while the employee is disabled or rehabilitating maintains the exemption as long as the reduced salary is at least the standard salary level. If employees are temporarily unable to perform their regular exempt duties, the employer may convert them to nonexempt status. This does not affect the exempt status of similarly situated employees. However, compensation that fluctuates based on the number of hours an employee works, even if paid according to a disability plan, is likely not compensation on a salary basis because it is unlikely to satisfy the reasonable-relationship test.

References:

[WHD Opinion Letter FLSA2004-5 \(June 25, 2004\)](#)

22h13 Special rules for public-agency employees.

- (a) A public agency may reduce an employee's pay or place the employee on unpaid leave for certain absences, even if the absence is for less than one work day. The agency may do so if:
- (1) The agency's pay system is established by statute, ordinance, or regulation, or by a policy or practice established pursuant to principles of public accountability;
 - (2) The employee accrues personal leave and sick leave under the system;
 - (3) The system requires that the employee's pay be reduced or the employee be placed on unpaid leave; and
 - (4) The employee is not using accrued leave because:
 - a. The employee did not seek, or was denied, permission to use accrued leave;
 - b. The employee's accrued leave was exhausted; or
 - c. The employee chose to use unpaid leave.
- (b) Deductions for absences caused by a budget-required furlough may violate the salary tests, but only in workweeks in which the furlough occurs and for which the employee's salary is accordingly reduced.

References:

[29 CFR 541.710](#)
[57 FR 37674-37675](#)

22h14 Foreign national paid in foreign currency.

Employers may pay foreign nationals temporarily residing in the U.S. some or all of their salary in foreign currency. The total of the dollar payment and the dollar value of the foreign-currency payment must equal at least the standard salary level. To calculate the dollar value of the foreign-currency payment, use the exchange rate (1) in effect at the time the wages are paid to the employee (2) that is available to an individual in the area where the employee works.

References:

[WHD Opinion Letter FLSA2006-17 \(May 23, 2006\)](#)

22i SPECIAL CONSIDERATIONS

22i00 Use of manuals or software.

- (a) Using manuals, guidelines, and other established procedures does not by itself disqualify an employee from exemption. Using references that contain or relate to highly technical, scientific, legal, financial or other similarly complex matters that can be understood or interpreted only by those with advanced or specialized knowledge or skills to help address difficult or novel circumstances is exempt work. Taking well-established techniques or procedures described in manuals or other sources, on the other hand, and applying them within closely prescribed limits to determine the correct response to an inquiry or set of circumstances is nonexempt work.
- (b) By itself, employees' use of a software program to enhance their ability to evaluate products, options and variables to serve the customer does not render them non-exempt.

References:

[29 CFR 541.704](#)

[WHD Opinion Letter FLSA2006-43 \(Nov. 27, 2006\)](#)

22i01 Emergencies.

- (a) Exempt employees who perform nonexempt work because of an emergency remain exempt. If an emergency threatens employee safety, to cease operations, or serious damage to the employer's property, work that tries to prevent those results is exempt. Emergencies arising out of an employer's business and affecting the public health or welfare can qualify under this provision.
- (b) "Emergency" does not include events within the employer's control or for which the employer can reasonably account in the normal course of business. Emergencies generally occur only rarely and are events that the employer cannot reasonably anticipate.
- (c) Examples:
 - (1) A superintendent who pitches in after a mine explosion and digs out trapped workers is still a bona fide executive.
 - (2) Assisting nonexempt employees with their work during periods of heavy workload or to handle rush orders is not exempt emergency work.
 - (3) Replacing a nonexempt employee during the first day or partial day of an illness may be considered exempt emergency work depending on factors such as the size of the establishment and of the executive's department, the nature of the industry, the consequences that would flow from the failure to replace the employee immediately, and the feasibility of filling the employee's place promptly.
 - (4) Regular repair and cleaning of equipment is not emergency work, even when necessary to prevent fire or explosion. Repairing equipment may be emergency work if the breakdown or damage was caused by accident or carelessness that the employer could not reasonably anticipate.

This list is not exhaustive, and situations must be evaluated case by case. However, an employer calls an employee's exempt status into question if it routinely assigns the employee nonexempt work for its own convenience.

References:

[29 CFR 541.706](#)

[69 FR 22189](#)

[WHD Opinion Letter FLSA2006-29 \(Sept. 8, 2006\)](#)

22i02 Occasional tasks.

Occasional, infrequently recurring tasks that cannot practicably be performed by nonexempt employees, but are the means for an exempt employee to carry out exempt functions and responsibilities, are exempt work. The work's exempt status depends on factors including whether:

- (a) The employee's subordinates perform the same work,
- (b) It is practical to delegate the work to a nonexempt employee,
- (c) The exempt employee performs the task frequently or occasionally, and
- (d) There is an industry practice for the exempt employee to perform the task.

References:

[29 CFR 541.707](#)

22i03 (Reserved.)

22i04 Special rule for motion-picture producing industry.

- (a) The salary basis requirement does not apply to otherwise-exempt employees in the motion-picture producing industry under these circumstances:
 - (1) For employees compensated at a weekly rate:
 - a. The employee is compensated at no less than the minimum weekly amount per week and
 - b. The employee is paid a proportionate amount, based on a workweek of no more than six days, for any week in which the employee, for any reason, does not work a full workweek.
 - (2) For employees compensated at a daily rate:
 - a. The employee's job category has no weekly base rate, but the daily base rate would yield at least the minimum weekly amount if the employee worked six days; or
 - b. The employee's job category has a weekly base rate of at least the minimum weekly amount, and the daily base rate is at least one-sixth of the weekly base rate.

- (b) The “minimum weekly amount” is \$1,043 per week (\$695 per week, for periods before 2020), exclusive of board, lodging, or other facilities. The daily equivalent is \$173.83 (\$115.83, for periods before 2020).
- (c) This special exception also extends to similarly-employed employees of producers of television films and videotapes.

References:

[29 CFR 541.709](#)
[69 FR 22190](#)

22j EXAMPLES IN SPECIFIC OCCUPATIONS

22j00 General.

These are examples of how Part 541 applies to some occupations. Employees in the occupations discussed below are not categorically exempt; whether a particular employee is exempt always depends on the facts surrounding that employee. Accordingly, these examples use language such as “generally” to emphasize that job titles do not determine whether an employee is exempt; exemptions depend on the particular employee’s particular pay and particular duties. Examples taken from the regulations cannot incorporate all possible facts. Examples taken from WHD opinion letters respond to fact-specific inquiries, so check the opinion letter itself to see whether it is based on facts similar to a particular case.

References:

[29 CFR 541.2](#)

22j01 Academic advisors and intervention specialists.

Academic advisors employed in educational establishments who perform duties such as assisting students with class selection, educational goals, and graduation requirements; orienting students regarding admissions, policies, procedures, resources, and programs; and assisting students with overcoming academic difficulties or disabilities generally meet the duties test for exempt academic administrative employees.

References:

[29 CFR 541.204](#)
[WHD Opinion Letter FLSA2005-42 \(Oct. 24, 2005\)](#)

22j02 Accountants.

Certified public accountants generally meet the duties test for exempt learned professionals. Accountants who perform similar job duties but are not certified public accountants may qualify as exempt learned professionals. Accounting clerks, bookkeepers, and other employees who normally perform a great deal of routine work are generally not exempt professionals.

References:

[29 CFR 541.301\(e\)\(5\)](#)

22j03 **Admissions counselors.**

Enrollment or admissions counselors whose primary duty is to engage in general outreach and recruitment efforts to encourage students to apply to an educational institution are not exempt under the academic administrative exemption. Their duties are not sufficiently related to the educational institution's academic operations.

References:

[WHD Non-Administrator Opinion Letter FLSA \(April 20, 1999\)](#)

22j04 **Advertising graphic art: installers.**

Persons employed to install adhesive graphic wraps on vehicles or other surfaces are not exempt creative professionals. They are skilled employees who install an artistic product created by someone else.

References:

[WHD Opinion Letter FLSA2005-26 \(Aug. 26, 2005\)](#)

22j05 **Athletic instructors or coaches.**

Assistant athletic instructors or coaches at educational institutions who spend more than 50 percent of their time teaching in an educational establishment generally qualify as exempt teaching professionals. These employees often work under the supervision of a head coach. Teaching duties of these positions include teaching proper skills to student-athletes; designing instructions for individual student-athletes and for specific team needs; and instruction in physical health, team concepts, and safety. Non-teaching duties of these positions typically include recruiting and developing recruiting strategies.

References:

[WHD Opinion Letter FLSA2008-11 \(Dec. 1, 2008\)](#)

22j06 **Athletic trainers.**

Certified athletic trainers who have successfully completed four years of pre-professional and professional study in a specialized, accredited curriculum generally meet the duties test for exempt learned professionals.

References:

[29 CFR 541.301\(e\)\(8\)](#)

22j07 **Chefs.**

- (a) Chefs, such as executive chefs and sous chefs, with a four-year academic degree in a culinary arts program generally meet the duties test for exempt learned professionals. Ordinary cooks do not.

- (b) Chefs may satisfy the duties test for creative professionals if their work requires invention, imagination, originality, or talent, such as that involved in regularly creating or designing unique dishes and menu items. However, there is a wide variation in duties among chefs, and the creative professional exemption must be applied on a case-by-case basis with particular focus on the creative duties and abilities of the specific chef in question. The creative professional exemption should extend only to truly original chefs, such as those who work at five-star or gourmet establishments, whose primary duty is to perform work “requiring invention, imagination, originality or talent.”

References:

[29 CFR 541.301\(e\)\(6\)](#)
[69 FR 22154](#)

22j08 Construction and project superintendents.

Construction and project superintendents who have management duties, regularly supervise two or more of their employer’s full-time employees, and who possess the necessary authority over others’ employment status may meet the duties test for exempt executives. Management, in this context, includes duties such as supervising the labor force, meeting with client representatives, making decisions about subcontractors’ scope of work, and making purchasing decisions.

References:

[WHD Opinion Letter FLSA2007-3 \(Jan. 25, 2007\)](#)
[WHD Opinion Letter FLSA2018-10 \(Jan. 5, 2018\)](#)
[29 CFR 541.100](#)

22j09 Consultants.

Management consultants who study the operations of a business and propose changes in organization are generally performing exempt administrative duties.

References:

[29 CFR 541.203\(e\)](#)

22j10 Copy editors.

Copyediting involves the use of skill rather than the exercise of discretion and independent judgment. If the employer is in the business of producing or publishing media, a copy editor is involved in producing the employer’s goods or services and is not an exempt administrative employee.

References:

[69 FR 22141](#)
[WHD Opinion Letter FLSA2006-45 \(Dec. 21, 2006\)](#)

22j11 Court reporters.

Court reporters are generally not exempt. Court reporting does not require specialized academic instruction to enter into the field. Court reporters do not exercise the requisite discretion and independent judgment to qualify for the administrative exemption and do not generally have a primary duty of supervising other employees.

References:

[WHD Non-Administrator Opinion Letter 2007-2NA \(Aug. 23, 2007\)](#)

22j12

Dental hygienists.

Dental hygienists who have successfully completed four academic years of pre-professional and professional study in an accredited college or university generally meet the duties test for exempt learned professionals.

References:

[29 CFR 541.301\(e\)\(3\)](#)

22j13

Employment-placement personnel.

Employees of a temporary-placement service generally perform exempt administrative work when their duties include work similar to exempt human-resources responsibilities, such as interviewing and recommending candidates for hiring; resolving pay and benefit issues; resolving conflicts between clients and placed personnel; counseling placed and eligible-for-placement personnel; negotiating payment structures with clients; and examining clients' and competitors' capacities, pay, and billing rates.

References:

[WHD Opinion Letter FLSA2018-12 \(Jan. 5, 2018\)](#)

22j14

Examiners or graders.

Examiners or graders, such as employees that grade lumber, generally do not perform exempt administrative duties. Their work involves comparing products with established, usually catalogued, standards.

References:

[29 CFR 541.203\(h\)](#)

22j15

Executive or administrative assistants.

Executive or administrative assistants to business owners or senior executives generally perform exempt administrative duties if they, without specific instructions or prescribed procedures, have been delegated authority regarding matters of significance. This does not extend to secretaries or other clerical employees.

References:

[29 CFR 541.203\(d\)](#)

[69 FR 22146](#)

22j16 Financial-services industry.

(a) Generally.

Financial-services employees generally perform exempt administrative work if their duties include, for example, collecting and analyzing information regarding the customer's income, assets, investments or debts; determining which financial products best meet the customer's needs and financial circumstances; advising the customer regarding the advantages and disadvantages of different financial products; and marketing, servicing, or promoting the employer's financial products. Courts have found employees who represent the employer with the public, negotiate on behalf of the company, and engage in sales promotion to be within the administrative exemption, even though the employees also engaged in some inside sales activities. However, the administrative exemption is not available for employees whose primary duty is to sell the employer's financial products on a day-to-day basis directly to consumers or who do not exercise discretion and independent judgment with respect to significant matters.

(b) Registered representatives.

Registered representatives may be exempt administrative employees. They frequently carry titles such as account executive, broker-representative, financial executive, financial consultant, financial advisor, investment professional, or stockbroker. Their exempt administrative work generally includes furnishing investment advice to clients based on an analysis of the clients' financial information, possible investment options, and clients' particular circumstances, and maintaining licenses to deal in securities from an organizations that is regulated by the SEC. If these or similar exempt tasks, rather than selling securities or financial products, are the employee's primary duty, the employee generally satisfies the primary duty test.

(c) Mortgage-loan officers.

The exemption status of mortgage-loan officers (and those with similar job titles) depends heavily on the particular employee's duties. Many such employees have as their primary duty making sales of mortgage products to customers and are non-exempt. Others have primary duties such as investigating potential borrowers and deciding whether to extend credit or waive or modify credit requirements and are performing exempt administrative duties. Others have a primary duty of sales but customarily and regularly perform that duty away from the employer's place of business and are thus exempt outside-sales employees.

References:

[29 CFR 541.203\(b\)](#)

[29 CFR 541.703\(b\)\(7\)](#)

[69 FR 22146](#)

[Administrator's Interpretation No. 2010-1](#)

[WHD Opinion Letter FLSA2006-11 \(Mar. 31, 2006\)](#)

[WHD Opinion Letter FLSA2006-43 \(Nov. 27, 2006\)](#)

22j17 Floral designers.

Floral designers who are given a subject matter, theme, or occasion for which a floral design or arrangement is needed and create the floral design or floral means for communicating an appropriate idea generally meet the duties test for exempt creative professionals. Employees whose duties consist of copying standard designs or ideas, such as those found in catalogs, do not.

References:

[WHD Opinion Letter FLSA \(Sept. 4, 1970\)](#)

22j18 Funeral directors and embalmers.

Funeral directors or embalmers generally perform exempt learned-professional duties if they are licensed by and work in a state that requires graduation from an accredited four-year pre-professional or professional academic program. Others with those titles who lack the requisite license or education are not exempt.

References:

[29 CFR 541.301\(e\)\(9\)](#)

[69 FR 22155–22156](#)

22j19 Information technology support specialists (help desk support specialist).

An information technology support specialist (or help desk support specialist) is generally nonexempt. Generally, these employees use skill in applying well-established techniques, procedures, or specific standards described in manuals or other sources. The occupation does not require advanced academic study, does not concern significant matters in the management or general business operations of the employer, and does not involve the analysis-and-design duties required for a computer-employee exemption.

References:

[WHD Opinion Letter FLSA2006-42 \(Oct. 26, 2006\)](#)

22j20 Inspectors (general).

Ordinary inspection work is generally not exempt administrative work. Inspectors normally rely on techniques and skills acquired by special training or experience to perform specialized work along standardized lines involving well-established techniques and procedures which may have been catalogued and described in manuals or other sources. They have some leeway in the performance of their work but only within closely prescribed limits. Inspectors whose primary duty is management of an area, including supervising two or more subordinates, may qualify for the executive exemption.

References:

[29 CFR 541.203\(g\)](#)

[WHD Opinion Letter FLSA2007-11 \(Sept. 17, 2007\)](#)

22j21 Inspectors (public sector).

Public-sector inspectors or investigators of various types, such as police officers, criminal investigators, liquor-law investigators, probation officers, parole agents, fire-prevention or safety inspectors, building or construction inspectors, health or sanitation inspectors, environmental or soils specialists, and similar employees are generally non-exempt. Their primary duty is typically to perform the services that their agency exists to perform. For example, in law-enforcement organizations, investigation activities are among the primary, day-to-day functions of the business. Further, their work typically involves using skills and technical abilities to gather factual information, apply known standards or prescribed procedures, determine which procedure to follow, and determine whether prescribed standards or criteria are met. Thus, they typically do not exercise the discretion or independent judgment with respect to matters of significance to the management or general business operations that is necessary to qualify as exempt administrative employees.

References:

[29 CFR 541.3\(b\)\(1\), 541.203\(j\)](#)
[WHD Opinion Letter FLSA2005-21 \(Aug. 19, 2005\)](#)
[WHD Opinion Letter FLSA-1165 \(July 26, 1988\)](#)
[WHD Opinion Letter FLSA \(September 12, 1997\)](#)

22j22 Insurance claims adjusters.

- (a) Insurance claims adjusters generally perform exempt administrative work, whether employed by an insurance company or not, if their duties include activities such as interviewing insureds, witnesses, and physicians; inspecting property damage; reviewing factual information to prepare damage estimates; evaluating and making recommendations regarding coverage of claims; determining liability and total value of a claim; negotiating settlements; and making recommendations regarding litigation. These duties are directly related to management or general business operations of the employer or the employer's customers in the functional area of insurance.
- (b) Whether an adjuster is an exempt administrative professional generally depends upon the level of judgment and discretion the adjuster is authorized to exercise. One indicator is the amount of supervision. For example, does the claims adjuster's supervisor only spot-check work, or must the adjuster seek approval from a supervisor for settlements? Claims adjusters who perform their duties under close supervision or in consultation with supervisors and who have no, or limited authority, to make independent choices do not exercise sufficient judgment and discretion.
- (c) The exercise of discretion and independent judgment must be more than applying specific standards or procedures found in manuals. Adjusters exercising this elevated level of judgment perform duties including evaluating independent medical examinations; evaluating investigations of accident scenes; hiring and interacting with nursing services to assist claimants to return to work; approving litigation strategy; participating in hiring experts; serving as lead negotiator in settlement discussions; and using their own judgment about what the facts show, who is liable, what a claim is worth, and how to handle negotiations with the claimant.

References:

[29 CFR 541.203\(a\)](#)

[WHD Opinion Letter FLSA2005-2 \(Jan. 7, 2005\)](#)
[WHD Opinion Letter FLSA2005-25 \(Aug. 26, 2005\)](#)

22j23 Intervention specialists.

Intervention specialists at academic institutions who teach life-skills courses and perform duties similar to those of academic advisors generally meet the duties test for the academic administrative exemption.

References:

[WHD Opinion Letter FLSA2005-42 \(Oct. 24, 2005\)](#)

22j24 Investigators (private and contracted).

Investigatory work is generally not directly related to management or general business operations and is thus not exempt administrative work. Investigators' activities are more related to the ongoing, day-to-day furnishing of their employer's product, investigative services. Investigators' discretion regarding their own workloads and whether to pursue particular leads do not satisfy the "discretion and independent judgment" prong of the administrative primary duty test.

References:

[WHD Opinion Letter FLSA2005-21 \(Aug. 19, 2005\)](#)

22j25 Journalists.

- (a) Journalists may satisfy the primary duty test for the creative professional exemption if their work requires invention, imagination, originality, or talent, as opposed to work that depends primarily on intelligence, diligence, and accuracy.
- (b) Journalists are not exempt creative professionals if they only collect, organize, and record information that is routine or already public, or if they do not contribute unique interpretations or analyses to a news product. Reporters who merely re-write press releases or who write standard recounts of public information by gathering facts on routine community events are not exempt creative professionals. Reporters whose work is subject to substantial control by their employer are not exempt creative professionals.
- (c) Journalists may qualify as exempt creative professionals if their primary duty is performing in radio, television or other electronic media; conducting investigative interviews; analyzing or interpreting public events; writing editorials, opinion columns, or other commentary; or acting as a narrator or commentator.

References:

[29 CFR 541.302\(d\)](#)
[Fact Sheet 17Q](#)

22j26 Location managers in the motion picture industry.

Location managers generally meet the duties test for exempt administrative employees. Among their typical duties are choosing filming locations with approval from the director and production management, negotiating site rentals, contracting for utilities, applying for governmental services and permits, creating and enforcing rules specific to the filming locations based on the sites' specific characteristics, liaising between the production company and property owners and residents, and negotiating claims of property damage. These duties directly relate to the general business operations of budgeting, procurement, and personnel management and include the exercise of discretion and independent judgment.

References:

[WHD Opinion Letter FLSA2006-46 \(Dec. 21, 2006\)](#)

22j27 Managers: Community events, conventions, visitor services.

Municipal employees in these roles generally meet the duties test for exempt administrative employees. Their duties, which can include, among other things, planning and coordinating events, marketing and promotional work, hiring and training staff, and preparing and presenting bids for meetings and conferences, typically relate to the general business operations of their municipal departments and are likely to involve the exercise of discretion and independent judgment in matters of significance to those departments and the municipalities, particularly when the employees operate under minimal supervision, have the authority to carry out major assignments, bind the municipality to contracts, or promote the municipality to encourage economic growth.

References:

[WHD Opinion Letter FLSA2006-34 \(Sept. 21, 2006\)](#)

[WHD Opinion Letter FLSA2009-04 \(Jan. 14, 2009\)](#)

22j28 Managers: Gasoline service station.

Station managers with sole charge of a location who customarily and regularly direct the work of two or more other full-time employees generally meet the duties test for exempt executives. Duties such as printing daily sales reports, checking inventory statuses, auditing cash receipts, and delivering cash receipts to the bank relate to the executive duties of maintaining production and sales records and securing the employer's property. In contrast, working as a station attendant is non-exempt work that cannot be routinely assigned to an employee without calling that employee's exemption status into question. However, as long as an otherwise exempt station manager performs attendant duties only occasionally—WHD has opined that up to a full day, a few times per year, at infrequent intervals, qualifies as "occasionally"—the employee is exempt.

References:

[WHD Opinion Letter FLSA2006-29 \(Sept. 8, 2006\)](#)

22j29 Managers: Human resources or personnel.

Human resources managers who formulate, interpret, or implement employment policies generally meet the duties test for exempt administrative employees. Personnel clerks who

screen applicants to obtain data regarding their minimum qualifications and fitness for employment generally do not.

References:

[29 CFR 541.203\(e\)](#)

22j30 Managers: Loss prevention.

Loss-prevention managers who have the primary duty of effectively implementing a loss-prevention and shortage-control program for a retailer may be exempt administrative employees. Such an employee is implementing management policies or operating practices that affect business operations to a substantial degree because the effective performance of that duty is essential for a store's profitability.

References:

[WHD Opinion Letter FLSA2006-30 \(Sept. 8, 2006\)](#)

22j31 Managers: Temporary-staffing companies.

Staffing managers for temporary-staffing companies may be performing exempt administrative work. A staffing manager who has a primary duty of recruiting, hiring, and managing the temporary labor pool of the employer's clients is performing work in the areas of personnel management, human resources, and labor relations. Examples of situations in which the staffing manager also exercises discretion and independent judgment with respect to matters of significance include:

- (a) Recruiting, hiring and recommending placement of employees into particular assignments;
- (b) Managing the client's temporary labor pool;
- (c) Providing advice on personnel issues;
- (d) Handling complaints;
- (e) Resolving grievances; and
- (f) Terminating employees on behalf of the client's management.

References:

[WHD Opinion Letter FLSA2005-45 \(Oct. 25, 2005\)](#)

22j32 Medical coders.

Medical coders are not exempt learned professionals. Medical coding does not require advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual study.

References:

[WHD Opinion Letter FLSA2005-35 \(Oct. 3, 2005\)](#)

22j33 Medical technologists.

- (a) Registered or certified medical technologists who have successfully completed three academic years of pre-professional study in an accredited college or university plus a fourth year of professional course work in an accredited school of medical technology generally meet the duties test for learned professionals.
- (b) Radiology technologists are generally not exempt learned professionals. Entry into the field generally requires only a two- or three-year technology program rather than the four-year degree that demonstrates “advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction.” The work is highly skilled and requires significant training but the learned-professional activity is the practice of medicine involved in analyzing and interpreting the developed images, which is performed by the radiologist.

References:

[29 CFR 541.301\(e\)\(1\)](#)

[WHD Opinion Letter FLSA2007-5 \(Feb. 1, 2007\)](#)

22j34 Museum curators.

Museum curators generally perform exempt administrative work such as maintaining the quality of a museum’s collection in accordance with museum management principles and practices; soliciting and evaluating additions to a collection; developing and changing exhibits; developing educational materials to accompany the exhibits; overseeing volunteer tour-guide programs; and assisting in fundraising and writing grant proposals.

References:

[WHD Opinion Letter FLSA2005-43 \(Oct. 24, 2005\)](#)

22j35 Nurses.

Registered nurses who are registered by the appropriate state examining board generally meet the duties requirements for the learned professional exemption. (Many registered nurses are paid on an hourly basis rather than on a salary or fee basis and are thus nonexempt.) Licensed practical nurses and other similar health-care employees generally do not qualify as exempt learned professionals because a specialized advanced academic degree is not a standard prerequisite for entry into the occupations.

References:

[29 CFR 541.301\(e\)\(2\)](#)

22j36 Occupational therapy assistants.

Occupational therapist assistants are not exempt learned professionals because entry into the position typically requires only a two-year degree or the equivalent. They are also not exempt

academic administrators because their position relates to the health, rather than the education, of the students.

References:

[29 CFR 541.204\(c\)\(2\)](#)

[69 FR 22150](#)

[WHD Opinion Letter FLSA2008-17 \(Dec. 19, 2008\)](#)

22j37

Paralegals.

(a) Learned-professional exemption.

Paralegals—sometimes called legal analysts or legal assistants—generally do not qualify as learned professionals because an advanced specialized academic degree is not a standard prerequisite for entry into the field. Particular paralegals may qualify as learned professionals if they possess advanced specialized degrees in other fields and apply advanced knowledge in that professional field in the performance of their paralegal duties. For example, an engineer hired as a paralegal to provide expert advice on product liability cases or to assist on patent matters would perform exempt learned-professional duties.

References:

[WHD Opinion Letter FLSA2005-9 \(Jan. 7, 2005\)](#)

[WHD Opinion Letter FLSA2005-54 \(Dec. 16, 2005\)](#)

(b) Administrative exemption.

Paralegals generally do not qualify for the administrative exemption. Most jurisdictions strictly prohibit the practice of law by non-lawyers and prohibit lawyers from delegating legal tasks unless the lawyer maintains a direct relationship with the client, supervises the delegated work, and has complete professional responsibility for the work produced. Under those restrictions, paralegals generally exercise particular skills and knowledge rather than the discretion and independent judgment necessary to satisfy the administrative primary duty test. Nor does a typical paralegal formulate or implement management policies, have authority to waive or deviate from established policies, give expert advice, or plan business objectives.

References:

[WHD Opinion Letter FLSA2006-27 \(July 24, 2006\)](#)

[WHD Opinion Letter FLSA2005-54 \(Dec. 16, 2005\)](#)

(c) Highly compensated employees.

Some paralegals may meet the highly compensated employee test. That test does not require an exempt primary duty, only that the employee customarily and regularly perform one or more exempt executive, administrative, or professional duties. Keeping and maintaining corporate records, assisting with bank-account matters, and budgeting, for example, are exempt administrative matters. Paralegals who receive the required compensation and who

customarily and regularly engage in one of those duties generally qualify as exempt highly compensated employees.

References:

[WHD Opinion Letter FLSA2019-8 \(July 1, 2019\)](#)

22j38 Physician assistants.

Physician assistants generally meet the duties test for the learned professional exemption.

References:

[29 CFR 541.301\(e\)\(4\)](#)

22j39 Pilots, copilots, and flight engineers.

(a) Exemptions do not apply.

WHD's position is that pilots, co-pilots, and flight engineers are not exempt learned professionals.

Aviation is not a field of science or learning, and the knowledge required to be a pilot is not customarily acquired by a prolonged course of specialized intellectual instruction. Further, while pilots, co-pilots, and flight engineers may be exempt executive or administrative employees if they also have other duties, piloting itself is not exempt executive or administrative work.

(b) Non-enforcement policy.

WHD has adopted a non-enforcement position for pilots and copilots of airplanes and rotorcraft who:

- (1) Hold an FAA Airline Transport Certificate or Commercial Certificate;
- (2) Are compensated on a salary or fee basis at no less than the standard salary level; and
- (3) Are engaged in:
 - a. Flying aircraft as business or company pilots;
 - b. Aerial mineral exploration;
 - c. Aerial mapping and photography,
 - d. Aerial forest fire protection;
 - e. Aerial meteorological research;
 - f. Test flights of aircraft in connection with engineering, production, or sale;

- g. Aerial logging, fire suppression, forest fertilizing, forest seeding, forest spraying, and related activities involving precision flying over mountainous forest areas;
- h. Flying activities in connection with transmission tower construction, transmission line construction, transportation of completed structures with precision setting of footings, concrete pouring; or
- i. Aerial construction of sections of oil drilling rigs and pipe-lines, and ski-lift and fire lookout construction.

(c) Exceptions to non-enforcement policy.

WHD does enforce the FLSA's minimum-wage and overtime requirements for:

- (1) Pilots engaged in agricultural crop-dusting operations;
- (2) Employees subject to the McNamara-O'Hara Service Contract Act, the Davis-Bacon Act, and the Contract Work Hours and Safety Standards Act; and
- (3) Support and maintenance personnel covered by the FLSA.

WHD's non-enforcement policy does not relieve employers from their obligations under collective-bargaining agreements or from liability incurred in a private suit under section 16(b) of the FLSA.

(d) Flight testing.

WHD has adopted a non-enforcement position toward flight engineers engaged primarily in flight-testing airplanes or rotorcraft who have formal training equivalent to at least two years of college engineering education, have 500 hours flight time as a flight engineer or pilot, and are paid on a salary or fee basis at no less than the standard salary level.

References:

[69 FR 22156](#)

[WHD Opinion Letter FLSA-585 \(Sept. 2, 1975\)](#)

[WHD Opinion Letter FLSA2009-6 \(Jan. 14, 2009\)](#)

[WHD Opinion Letter FLSA2018-3 \(Jan 5, 2018\)](#)

22j40

Police, fire fighters, and other first responders.

Police officers, fire fighters, and other first responders serving in those capacities are not exempt administrative or professional employees. They are employed to supply and produce the public services that their agencies exist to furnish. However, personnel such as police lieutenants and captains and fire battalion chiefs may qualify as exempt executives.

References:

[29 CFR 541.3\(b\)](#)

[WHD Opinion Letter FLSA2018-3 \(Jan. 5, 2018\)](#)

[WHD Opinion Letter FLSA2005-40 \(Oct. 14, 2005\)](#)

[WHD Opinion Letter FLSA-1175 \(May 19, 1988\)](#)

22j41 Product analysts.

Employees whose primary duty is devising tests for, testing, reporting on, and educating sales personnel on the employer's new and potential products are performing exempt administrative work. The work relates to the functional areas of quality control, research, and marketing. Further, the employees exercise discretion and independent judgment in matters of significance by devising tests, evaluating current product uses, and composing reports that include recommendations on sales strategies and product development.

References:

[WHD Opinion Letter FLSA2008-3 \(Apr. 21, 2008\)](#)

22j42 Purchasing agents.

Purchasing agents with authority to bind the company on significant purchases are generally performing exempt administrative duties even if they must consult with top management officials on some purchases.

References:

[29 CFR 541.203\(f\)](#)

[WHD Opinion Letter FLSA2008-1 \(Mar. 6, 2008\)](#)

22j43 Real-estate occupations.

- (a) Acquisition agents generally meet the duties test for exempt administrative employees. They generally perform various duties related to purchasing, procurement, and legal and regulatory compliance, which are exempt administrative duties. Acquisition agents generally also exercise judgment and discretion in matters of significance to their employer's business because they interpret management policies; negotiate, consult with, and give expert advice to management; and financially bind the client on significant matters.
- (b) Relocation agents generally meet the duties test for exempt administrative employees. They generally furnish relocation assistance to property occupants by evaluating and recommending potential replacements to them and advise the property owner on those obligations and recommendations. These are exempt administrative duties relating to the general business operations of procurement, government relations, and legal and regulatory compliance. Relocation agents generally exercise judgment and discretion in matters of significance to their employer's business through their recommendations and proposals, such as analyzing housing alternatives, recommending replacement housing payments, and advising the client on significant financial matters.
- (c) Property management agents may perform exempt administrative duties. They may have duties such as dealing with government authorities, utility companies, contractors, occupants, and other consultants on the employer's or client's behalf; ensuring compliance with property and environmental-protection laws; developing operations and maintenance plans; and preparing specifications and accepting bids for construction work. Those are exempt administrative duties because they relate to the general business operations of government

relations, legal compliance, purchasing and procurement, and quality control. They involve matters of significance to the employer's or client's business in which the agent typically exercises discretion and independent judgment, such as implementing management policies, carrying out major assignments, and negotiating for the company on significant matters.

References:

[WHD Opinion Letter FLSA2006-23 \(June 29, 2006\)](#)

22j44

Real-estate sales.

(a) Generally.

Real-estate sales employees generally qualify as outside-sales personnel. They generally meet the sales test because "sales" includes contracts to sell. They are typically required, as a customary and regular part of their sales efforts, to spend time at the property to be sold and visit prospective clients at the prospects' homes and offices. To do so, most of them must leave their employer's place of business.

(b) Model homes.

Real-estate sales employees stationed in a model home on a tract from which parcels of real property are being sold will generally qualify as exempt outside-sales employees if they customarily and regularly leave the model home for sales purposes, such as showing available parcels to potential buyers. In this case, the model home, not the tract itself, is the employer's place of business. Time spent returning to the model home or other location to conclude a transaction or continue the sales effort would be part of the employee's outside-sales activity. Further, not every home called a model home would be a place of business of the employer. An open house to which a sales employee is assigned to meet prospects who may buy that house or a similar one on the tract may more properly be analogized to the hotel sample room of a traveling sales employee than a place of business.

(c) Activities in conjunction with outside-sales work.

Certain activities performed by real-estate sales employees in the employer's place of business may be exempt work if they are in conjunction with and in furtherance of the employees' outside sales work. Examples include:

- (1) Bringing a multiple listing book up to date,
- (2) Calling prospects with whom the sales employee has been dealing during outside sales activities,
- (3) Dictating or writing letters to such prospects,
- (4) Talking to such prospects in the office about their particular transactions
- (5) Calling a list of prospective buyers or sellers of homes with whom the sales employee has had no prior contact,

- (6) Preparing a contract and other forms required for a sale negotiated during the sales employee's outside sales activity, and
- (7) Talking to a walk-in prospect with whom the employee has had no prior contact and showing photographs and discussing terms on specific houses, if such activity results in subsequent outside sales activity with the prospect.

(d) Timeshare resorts.

Employees whose primary duty is to promote and sell timeshare interests in resorts owned or operated by their employers do not qualify for the outside sales exemption when they sell timeshares on site at the resorts. A resort is generally maintained on a permanent basis for an employer who has an ongoing interest in it. Under those circumstances, the entire resort constitutes the employer's place of business. These employees may be outside-sales employees if they customarily and regularly make sales at a location that is not the employer's place of business.

References:

29 USC 203(k)
[29 CFR 541.502](#)
[WHD Opinion Letter FLSA2007-1 \(Jan. 25, 2007\)](#)
[WHD Opinion Letter FLSA2007-2 \(Jan. 25, 2007\)](#)
[WHD Opinion Letter FLSA2007-4 \(Jan. 25, 2007\)](#)
[WHD Opinion Letter FLSA \(April 21, 1964\)](#)

22j45 Respiratory therapists.

Respiratory therapists are not exempt learned professionals. A four-year degree is not a standard prerequisite to enter into the occupation.

References:

[WHD Opinion Letter FLSA2006-26 \(July 24, 2006\)](#)

22j46 Sales engineers.

An employee with a 4-year degree in engineering and whose duties require a combination of sales and engineering activities is performing exempt learned professional duties if the employee's primary duty is performing exempt engineering tasks rather than nonexempt sales tasks. For example, an employee whose engineering background and abilities determine a product's engineering specifications, resolve engineering related problems, and give technical support, which results in sales or securing orders, is an exempt learned professional.

References:

[WHD Opinion Letter FLSA2005-28 \(Aug. 26, 2005\)](#)

22j47 School resource officers.

The responsibilities and duties of school resource officers vary widely depending on the employing agency and the school where the officer works. Officers with duties broader than those of a typical law-enforcement officer may qualify as exempt administrative employees. WHD has opined that officers who are minimally supervised, exercise control over their own budgets, furnish advice to school administrators on various topics, implement and execute their own policies, liaise to local law-enforcement agencies, coordinate with various social-services personnel, and exercise significant discretion over their own work schedule and execution of their duties are performing exempt administrative duties.

References:

[WHD Opinion Letter FLSA2007-8 \(Feb. 15, 2007\)](#)

22j48 Shoppers: comparison.

Comparison shopping performed by an employee of a retail store who merely reports prices at a competitor's store is nonexempt work. However, employees who evaluate reports on competitor prices to set the employer's own prices are generally performing exempt administrative work.

References:

[29 CFR 541.203\(i\)](#)

22j49 Social-service workers.

- (a) Case managers employed by social-service organizations, whether private non-profits or government agencies, are generally not exempt. Their activities generally relate to furnishing ongoing, day-to-day case-management services rather than general business operations. Further, they are generally not required to have the specialized academic training required for a learned-professional exemption.
- (b) Social workers with at least a bachelor's degree in a field such as social work, drug and alcohol education, counseling, psychology, or criminal justice and who work in the field of their degree are generally performing exempt learned professional duties if the degree is a customary requirement to enter into the particular field of social work.
- (c) Advocates for individuals with disabilities are generally not exempt administrative employees. Their activities generally relate to ongoing, day-to-day case-management services and furnishing the social services offered by the organization rather than general business operations.

References:

[WHD Opinion Letter FLSA2007-7 \(Feb. 8, 2007\)](#)

[WHD Opinion Letter FLSA2005-30 \(Aug. 29, 2005\)](#)

[WHD Opinion Letter FLSA2005-50 \(Nov. 4, 2005\)](#)

[WHD Non-Administrator Opinion Letter FLSA \(January 24, 2001\)](#)

22j50 Solicitors of charitable donations.

Persons employed to solicit contributions on behalf of charitable organizations are not outside-sales employees. Promises of future charitable donations and the concept of donating to a charity are not “sales” because they are not orders or contracts for which a consideration will be paid. Exchanging a token gift for the promise of a charitable donation does not constitute a sale.

References:

[WHD Opinion Letter FLSA2006-16 \(May 22, 2006\)](#)

22j51 Team leaders who complete major projects.

An employee who leads a team of other employees assigned to complete major projects for the employer (e.g., purchasing, selling, or closing all or part of the business; negotiating a real estate transaction or a collective bargaining agreement; or designing and implementing productivity improvements) is generally performing exempt administrative work even if the employee does not have direct supervisory responsibility over the other employees.

References:

[29 CFR 541.203\(c\)](#)

22j52 Veterinary technician.

Veterinary technicians are not exempt learned professionals. A four-year degree is not a standard prerequisite to enter into the occupation.

References:

[WHD Opinion Letter FLSA \(Dec. 6, 1984\)](#)

[WHD Non-Administrator Opinion Letter FLSA \(June 30, 1997\)](#)

22k (RESERVED)

POSITION ANALYSIS QUESTIONNAIRE

This form is designed to assist you in describing your position. You are asked to fill out this form because you know the duties and responsibilities of your position better than anyone else. If a question does not apply to your position, please write "Not Applicable" or "N/A" for that item. Please print or write your answers very legibly. Thank you for your cooperation.

NOTE: It is the *position* that is being studied, not the employee.

EMPLOYEE'S NAME: _____

EMPLOYEE'S JOB TITLE: _____

DEPARTMENT / OFFICE: _____

WORK PHONE OR EMAIL: _____

IMMEDIATE SUPERVISOR'S NAME & TITLE: _____

DEPARTMENT DIRECTOR'S NAME & TITLE: _____

A. POSITION'S PURPOSE: State briefly, in 3 to 5 sentences, the main purpose or function of your position. What do you believe is the major purpose of your job? This may be easier to complete after you have filled out Section B of this form.

B. WORK ACTIVITIES LIST: THIS SECTION IS VERY IMPORTANT TO UNDERSTANDING YOUR JOB DUTIES. Please describe, in detail, the major elements of what you do on your job. List only the major functions, separately, in order of importance. Provide a detailed description of each duty so someone not familiar with your job can understand what you do. **We do not need to know HOW your department operates, but rather, WHAT it is YOU “do”.** Please use action words such as *prepares*, *calculates*, *operates*, etc. to start off each statement. Indicate the approximate percentage of total working time you spend on each major work activity. Please label the time period you use, such as daily, weekly, monthly, or yearly. Make every effort to have the % of time add up to 100%.

	% of Time	Function/Duty/Task
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

C. KNOWLEDGE, SKILLS AND INFORMATION SOURCES: This section helps us to understand the minimum levels and type of knowledge and skills needed to effectively perform the functions of this job.

What knowledge and skills are required to perform your job? *Examples: typing, supervisory skills, project management skills, etc.*

What information sources are required for you to do your job? *Examples: internet, manufacturer equipment manuals, building codes, repair manuals, etc.*

D. EDUCATION, TRAINING, AND EXPERIENCE

Please indicate **your educational level** and the **MINIMUM educational level** required for your job:

YOU HAVE:		YOU NEED:	
<input type="checkbox"/>	High School Diploma/GED	<input type="checkbox"/>	High School Diploma/GED
<input type="checkbox"/>	Associate's Degree (AA/AS); or 2 year technical certificate	<input type="checkbox"/>	Associate's Degree (AA/AS); or 2 year technical certificate
<input type="checkbox"/>	Bachelor's Degree (BA/BS)	<input type="checkbox"/>	Bachelor's Degree (BA/BS)
<input type="checkbox"/>	Graduate Degree (MS/MA)	<input type="checkbox"/>	Graduate Degree (MS/MA)
<input type="checkbox"/>	Post Graduate Degree (PhD)	<input type="checkbox"/>	Post Graduate Degree (PhD)
<input type="checkbox"/>	Other (please indicate):	<input type="checkbox"/>	Other (please indicate):

Please identify the field of study or coursework for the educational degree you indicated in the "You Need" section above. Include any vocational training or special training programs that would substitute for the above education/training. *Examples: AA/AS in Accounting, BA/BS in Journalism, automotive repair training program, HVAC training program, etc.*

Please indicate the number of years and type of prior job **experience** you believe to be essential before an average person could perform your job successfully?

Example: 2 years of strategic planning work and 6 months supervisory experience.

E. REQUIRED LICENSES AND CERTIFICATIONS

Does your job **require** a license(s), certification, registration, or other regulatory requirements? (Examples: engineering certification or license; CDL; etc.) If yes, provide name/type/class/level of license/ certification/registration and the issuing agency.

License or Certification Name	Type/Class/Level

Were they required at the time for employment? **Yes** **No** If no, when were they required?

Within: ___ Weeks _____ Months _____ Years of employment?

F. EQUIPMENT, TOOLS AND MACHINERY:

What machinery, vehicles, or motorized equipment do you use in your work, and how often do you use each (rarely, frequently, or constantly)?

G. PHYSICAL REQUIREMENTS: Are there any special or unusual physical skills or efforts required on your job (e.g., climb ladders, dig/work in trenches, handle extremely hot or cold materials, etc.)?

What approximate percentage of your total time on this job do you spend doing the following? (These may add up to more than 100%).

Standing _____ % Walking _____ % Sitting _____ % Driving _____ %
Listening _____ % Talking _____ % Other (give examples) ___ / ___ %

How much weight are you required to manually **lift** and/or **carry** at any one time: _____ Pounds
Is the lifting/carrying done regularly? Yes No How many hours per day? _____ Hours

H. EXTRAORDINARY WORKING CONDITIONS: What unusual and/or special working conditions affect or are part of your job? Answer all that apply and indicate whether regular or occasional.

- 1. Exposure to dangerous machinery (examples): _____ Regular Occasional
- 2. Exposure to extreme weather conditions (examples): _____ Regular Occasional
- 3. Potential physical harm (examples): _____ Regular Occasional
- 4. Hazardous chemicals (examples): _____ Regular Occasional
- 5. Infectious disease (examples): _____ Regular Occasional
- 6. Other (examples): _____ Regular Occasional

I. PROBLEM-SOLVING INSTRUCTIONS:

How do you receive your instructions? (Check/circle all that apply): Orally In Writing

How specific or general are these instructions? Please explain.

How are priorities and/or deadlines decided for your position?

What occasions are there (if any) when instructions are not provided?

At what stage, and by whom (job title) are your assignments normally reviewed?

How can you and your supervisor determine the quality of your work?

How often do you meet with your supervisor and for what purposes?

J. AUTHORITY / ACCOUNTABILITY

What is the highest level of decision you are authorized to make **without** clearing it through your supervisor?

What work decisions **require** clearance from your supervisor? Please give examples.

What are the most difficult/important decisions you make? Describe the impact of these decisions on your immediate organizational unit, department, other employees, contractors, customers, vendors and other members of the public and/or the community.

Do you have any input, responsibility, or work duties related to annual budgeting? If yes, describe below:

K. INTERACTION WITH OTHERS: To do your job effectively, what people **within** your organization are you required to interact with, other than your immediate supervisor and department co-workers?

If you have direct contact with people **outside** the organization such as citizens, the public, other governmental agencies, vendors, suppliers, contractors, etc., please indicate the nature and purpose of these contacts.

EMPLOYEE SIGNATURE: _____ **DATE:** _____

Please Note: All signatures indicate the information provided on this PAQ is **accurate and complete**.

*Please print and sign this document. If you have supervisory responsibilities, complete and sign the next section. Return this entire PAQ to your supervisor by **{DATE}**. **Be sure to make a copy for your records.***

SUPERVISORY POSITION SUPPLEMENTAL QUESTIONNAIRE

(To be completed only by individuals who supervise other employees)

- L. SUPERVISION/SPAN OF CONTROL:** Please indicate the job titles and names of the employees who report **directly** to you, and not through a subordinate supervisor. Include temporary, part-time, and community service workers. Attach your department's organizational chart or sketch an organizational chart which depicts the reporting relationships in your department.

Please indicate the job titles, number of positions for each, that report to your direct subordinates.

- M. SUPERVISORY RESPONSIBILITIES:** Does your position have the authority to take any of the following actions? If not, does your supervisor rely **mainly** on your recommendation to make the decision?

RESPONSIBILITY	YES	NO	RECOMMEND ONLY	N/A
Hire employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Promote employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transfer employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prepare work schedules	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Assign/review work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Train employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Assign/approve overtime/comp-time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oversee contracts and/or contractors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Approve sick leave/vacation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recall employees to work in emergencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Award merit increases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conduct performance evaluation with employee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discipline employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suspend employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terminate employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EMPLOYEE SIGNATURE: _____ **Date:** _____

Please Note: All signatures indicate the information is **accurate and complete**. Return to your supervisor by **DATE**.

DEPARTMENT MANAGER'S REVIEW FOR ACCURACY AND COMPLETENESS

DEPARTMENT MANAGER'S REVIEW FOR ACCURACY: I have reviewed and discussed the contents of this position description with the employee. Except for the items noted below, I find the PAQ accurate and complete. (Attach additional pages if necessary.)

DEPARTMENT MANAGER'S SIGNATURE: _____ Date: _____

Please Note: All signatures indicate the information is **accurate and complete**. Please forward this PAQ to Human Resources by **DATE**. Be sure to keep a copy for your records.

Legal_Lastname	Legal_Firstname	Hire_Date	Termination_Date	Department_Desc
POE	MARGIE	4/9/13	12/8/16	City Clerk
ORTON	MICHELLE	12/31/16	12/31/16	Community Development
SCHNEIDER	MICHAEL	8/15/16	1/19/17	Public Works Administration
SERVEDIO	AIMEE	5/16/83	2/12/17	City Clerk
ZUBEK	CHRISTINE	8/22/16	3/16/17	Recreation
PINE	JAMES	4/13/15	3/24/17	Recreation
GHOVAEE	HOUSH	7/11/16	3/31/17	City Clerk
PALLADENO	TRAVIS	3/22/11	4/11/17	City Clerk
FERRO-SPLIDE	INGRID	1/10/17	4/11/17	City Clerk
TENAGLIA	VINCENT	4/16/12	4/17/17	Finance
CRAWFORD	CHERYLANNE	3/28/11	5/4/17	City Clerk
CONNELL	GARRETT	6/3/15	5/17/17	Recreation
AUSEC	SAVANNAH	6/16/15	5/17/17	Recreation
HILLMAN	ERIN	6/8/16	5/17/17	Recreation
MIRENDA	RONALD	6/23/16	5/17/17	Recreation
BLACK	JAMES	12/4/13	5/19/17	City Manager
FERRO	FRANCIS	4/24/17	6/16/17	Stormwater
CRAWFORD	SHANE	1/16/12	6/19/17	City Manager
LEWIS	NICHOLAS	3/2/11	7/13/17	City Clerk
RUSS	TYLER	8/31/17	1/25/18	Stormwater
RIGOTTI	BRIAN	5/29/15	1/26/18	Sanitation
CASE	DESTINY	5/18/15	3/6/18	Recreation
MARKS	TIMOTHY	2/22/16	3/8/18	Community Development
FOSTER	JACOB EDWARD	2/3/14	3/12/18	Fire - EMS
PATTEN	MIRANDA	10/13/14	3/26/18	Recreation
LISTER	TERRY	3/25/08	4/10/18	City Clerk
JOHNSON	CANDICE	8/7/17	5/21/18	Recreation
HUOT	SAMANTHA	1/2/18	5/21/18	Building Fund
ABULONE	MAVERICK	6/18/15	6/14/18	Recreation
HESSER	KURT	4/7/17	6/14/18	Recreation
KEEN	BONNIE	6/14/17	6/14/18	Recreation
DAVISON	VALERIE	6/3/15	7/20/18	Recreation
BARNES	SANDRA	5/30/18	7/29/18	Recreation
STYONS	TRINA	3/9/16	7/29/18	Parking Enforcement
LENHARDT	MARISSA	6/14/17	8/3/18	Recreation
GIBSON	ALYSSA	5/18/15	8/10/18	Recreation
EATON	TAYLOR	6/8/16	11/2/18	Recreation
BLEWITT	GEORGE	8/6/18	11/7/18	Parking Enforcement
LIBBY	JON	8/4/08	12/20/18	Marina
MARSICANO	DAVID	10/28/02	1/4/19	Marina
CASSITY	JOHN	1/14/19	1/14/19	Stormwater
DUNLOP	ZACHARY	10/9/18	1/25/19	Unassigned
WEISEL	SCOTT	2/5/18	1/28/19	Stormwater
OAKLEY	NANCY	4/11/17	2/6/19	City Commission
NEIMAN	SCOTT	5/30/17	3/7/19	Stormwater
DUNNAVANT	BARBARA	3/4/19	3/15/19	City Commission

JORDAN	CHARLES	3/28/19	4/12/19	Unassigned
EVANS	JONATHAN	2/26/18	7/9/19	City Manager
OLIVER	HENRY	2/22/84	7/19/19	Sanitation
COTTLE	TYLER	5/30/17	9/30/19	Recreation
GAMBLE	ANDREA	6/30/17	10/10/19	City Clerk
GIOVINE	DONALD	2/11/19	10/18/19	Stormwater
KAPUSTA	DANIELA	4/3/18	10/21/19	Recreation
SINKFIELD	GWENDOLYN	5/4/11	12/13/19	Community Developme
DEMOTT	AMBER	11/6/19	1/16/20	Building Fund
SURANYI	STEVEN	2/26/07	2/4/20	Fire - EMS
BLACK	MARGARET	4/11/17	3/24/20	City Commission
LAFAVE	LACY	6/9/17	4/3/20	City Manager
WEINSTEIN	FLORENCE	4/10/18	4/8/20	City Commission
TARKENTON	CHRISTOPHER	3/17/14	4/17/20	Finance
HOWARD	P RONALD	4/10/19	5/2/20	Parking Enforcement
CAGUIOA	JEUSTIN	2/17/20	6/5/20	Building Fund
LEPPERT	JOHN	6/18/18	6/5/20	Sanitation
ONEAL	DERRYL	3/26/12	6/22/20	Fire - EMS
PIERCE	WALTER	5/12/17	7/2/20	Finance
SPICA	MEGAN	10/13/16	7/2/20	Recreation
LAWSON	PAIGE	3/20/17	7/2/20	Recreation
CRAVENS	LISA	6/12/17	7/2/20	Recreation
SMEBACK	RUSSELL	1/9/20	7/5/20	Parking Enforcement
HERBST	BRITTNEY	6/23/20	7/9/20	City Manager
ERMSCHER	TODD	8/2/10	8/25/20	Fire - EMS
PREISSER	CURT	6/18/18	9/30/20	City Manager
BUSZINSKI	CAROL	4/10/18	9/30/20	Finance
LADAKAKOS	JOHN	8/16/18	10/9/20	Recreation
BROWN	COLIN	2/22/19	10/18/20	Marina
KOUTSOFTAS	MICHELE	7/24/20	12/2/20	Building Fund
KILLENS	ARTIS	10/19/20	12/28/20	Sanitation
LITERACKI	THOMAS	11/30/20	1/24/21	Building Fund
SHENOFSKY	JARED	3/26/18	1/31/21	Fire - EMS
SCHWEITZER	NICHOLAS	8/10/20	1/31/21	Parking Enforcement
HARDER	JOAN	4/22/20	2/5/21	Finance
HUSAIN	ZAIN	10/22/19	2/19/21	Community Developme
DOUTHIRT	JOHN	4/11/17	2/28/21	City Commission
AHRENS	CHARLES	11/18/19	3/5/21	Stormwater
ROWAN	JENNIFER	3/10/21	3/10/21	Community Developme
ABREU	JESSICA	2/11/21	3/12/21	Building Fund
SAVAGE	AMBER	4/23/19	3/18/21	Building Fund
SUAREZ	LUIS	8/10/20	3/23/21	Fire - EMS
BOESCH	NICHOLAS	9/3/16	4/11/21	Marina
DAVIS	KENNETH	12/1/14	6/1/21	Stormwater
HARVIE	TAMARA	2/25/19	6/8/21	Community Developme
PATE	MORGAN	5/15/19	6/8/21	Recreation
GROGAN	DYAN	5/17/21	7/23/21	Building Fund

VICK	BRIAN	3/2/21	8/17/21	Building Fund
BORRIES	HALEY	6/10/21	8/25/21	Recreation
HAZEN	RYAN	6/11/21	8/25/21	Recreation
MOULTRIE	SAMUEL	6/10/21	8/25/21	Recreation
PORTAL	LUKE	6/16/21	8/25/21	Recreation
SAWYERS	TYLER	6/8/16	8/25/21	Recreation
LOMBARDI	BROOKE	8/13/18	8/25/21	Recreation
RAU	BRIAN	10/10/18	9/2/21	Marina
REICHNER	AMANDA	10/5/21	9/9/21	Recreation
OBRIEN	MARGARET	8/30/21	9/14/21	Recreation
LOMBARDI	DEMI	1/14/19	9/21/21	Recreation
BROSAN	VICTORIA	2/14/19	9/21/21	Recreation
ROLIH	DONNA	7/1/10	9/27/21	Finance
HOGAN	HEATHER	11/15/21	12/1/21	Recreation
DANIELS	ROBERT	7/10/19	1/3/22	City Manager
MCCLURE	PETER	10/4/21	1/25/22	Recreation
BUSH	KINDA	5/18/17	2/1/22	City Clerk
TOFTHAGEN	SUZANNE	12/3/18	2/23/22	Parking Enforcement
KORDIS	PATRICIA	12/16/13	3/18/22	City Manager
PARKINSON	DANA	10/4/21	3/18/22	Community Development
HODGES	NANCY	3/27/12	3/31/22	City Commission
PRICE	HELEN	3/31/20	3/31/22	City Commission
BAILEY	ROBIN	2/10/21	4/1/22	City Clerk
AMBROSE	WILLIAM	1/25/22	4/5/22	Sanitation
ROWE	BRIAN	3/9/22	4/14/22	Archibald Fund
CLARK	SHAWN	1/19/21	5/6/22	Fire - EMS
MCCLURE	CATHERINE	8/29/17	5/20/22	Recreation
DENNIS	CARLOS	3/17/22	5/24/22	Sanitation
SANDERS	TRE	5/23/22	7/20/22	Sanitation
MONTGOMERY	MADISON	6/14/18	8/5/22	Recreation
ZACCHI	JOHN	9/13/21	8/8/22	Sanitation
ONEAL	AARON	8/29/22	9/26/22	Sanitation
LORD	BRIAN	9/6/22	10/14/22	Parking Enforcement
LARAMEE	DEBORA	1/11/88	12/31/22	Archibald Fund
PORTAL	SUSAN	8/3/20	1/5/23	Community Development
GEMMA	ALEXA	10/13/22	1/17/23	Sanitation
PAGILLO	BRIAN	1/4/21	3/3/23	Sanitation
HUTSON	DAVID	3/10/21	3/22/23	City Commission
HENDRICKS	JOHN	3/31/20	3/22/23	City Commission
ANDREWS	DOUGLAS	3/12/19	3/22/23	City Commission
LILLY	SEAN	2/8/21	3/31/23	Human Resources
ROBY	LAURA	11/29/21	3/31/23	Building Fund
HURST	BENJAMIN	12/5/22	4/14/23	Stormwater
GARRETTO	SEAN	1/19/21	4/15/23	Recreation
PERKINS	VICTOR	1/12/23	4/21/23	Sanitation
HEARN	MARY	12/2/20	00/00/0000	City Manager
GOMEZ	ROBIN	12/20/21	00/00/0000	City Manager

POWERS	MEGAN	4/9/18	00/00/0000	City Manager
ROEDER	THOMAS	2/8/21	00/00/0000	City Manager
SCHEUERMANN	LISA	8/9/21	00/00/0000	Community Developmei
FORBES	MARCI	5/15/23	00/00/0000	Community Developmei
PORTAL	LINDA	8/21/17	00/00/0000	Community Developmei
ROWAN	JENNIFER	9/24/18	00/00/0000	Community Developmei
MORRIS	ANDREW	11/18/19	00/00/0000	Community Developmei
NILLES	GERALDINE	3/8/21	00/00/0000	Finance
CADE	PATRICK	6/6/13	00/00/0000	Finance
PAULSON	KAREN	12/15/14	00/00/0000	Finance
HOOLEY	LARA	10/27/21	00/00/0000	City Clerk
PUDNEY	KARYN	12/5/22	00/00/0000	City Clerk
VANBLARGAN	CLARA	10/16/17	00/00/0000	City Clerk
TAGLIARINI	DAVID	4/13/22	00/00/0000	City Commission
KERR	ARTHUR	4/13/22	00/00/0000	City Commission
ROSTEK	JAMES	3/22/23	00/00/0000	City Commission
BROOKS	ANNE-MARIE	3/22/23	00/00/0000	City Commission
MC GEEHEN	EDWARD	3/22/23	00/00/0000	City Commission
LOLLIS	ALEXANDRA	9/20/21	00/00/0000	Public Works Adm
WALKER	LEROY	2/9/07	00/00/0000	Public Works Adm
SCHIMMER	RUSSELL	2/5/19	00/00/0000	Public Works Adm
WEPFER	MEGAN	1/26/15	00/00/0000	Public Works Adm
WASILEWSKI	MICHAEL	2/8/21	00/00/0000	Fire - EMS
LUCAS	NICHOLAS	4/12/21	00/00/0000	Fire - EMS
BARBARA	MARIO	11/7/22	00/00/0000	Fire - EMS
BUELLER	DOMINIC	6/25/07	00/00/0000	Fire - EMS
ROBERTS	RYAN	1/30/12	00/00/0000	Fire - EMS
BELK	CLINT	10/13/14	00/00/0000	Fire - EMS
CHILDERS	DAVID	7/30/12	00/00/0000	Fire - EMS
ILNICKA EATON	PATRYCJA	7/15/13	00/00/0000	Fire - EMS
SLEPPY	JOHN ROBERT	2/3/14	00/00/0000	Fire - EMS
MCGAUGHEY	CARL	3/17/14	00/00/0000	Fire - EMS
PEREZ	RAUL	7/20/15	00/00/0000	Fire - EMS
UBILES	ERICK	8/1/16	00/00/0000	Fire - EMS
MCCLAVE	THOMAS	3/5/18	00/00/0000	Fire - EMS
HILL	GEORGE	3/27/13	00/00/0000	Fire - EMS
WHITFIELD	JOHANA	6/29/20	00/00/0000	Fire - EMS
ROBERTS	SYDNEY	1/18/22	00/00/0000	Recreation
HARRIS	KAIA	5/24/22	00/00/0000	Recreation
DIEBOLD	KAYLEE	5/31/22	00/00/0000	Recreation
BEHRING	BRANDON	10/5/22	00/00/0000	Recreation
KRIVDIC	ADELA	12/12/22	00/00/0000	Recreation
BARKER	DONALD	4/17/23	00/00/0000	Recreation
KEPICS	CAROL	1/4/16	00/00/0000	Recreation
HATCH	JOHN	10/27/14	00/00/0000	Recreation
	CHRISTOPHER			
MECKO	CONNOR	3/28/17	00/00/0000	Recreation

WATESKA	TRAVIS	5/30/17	00/00/0000	Recreation
DENZEL-DAVIS	TAYLOR	10/9/19	00/00/0000	Recreation
MICHALSKI	MAXWELL	5/18/15	00/00/0000	Recreation
ROBERTS	KELLY	6/1/20	00/00/0000	Recreation
SCOTT	BARBARA	4/12/21	00/00/0000	Building Fund
DESANTIS	FRANK	1/13/14	00/00/0000	Building Fund
ARISON	SAMANTHA	2/13/23	00/00/0000	Building Fund
MILLS	GRACE	3/13/23	00/00/0000	Building Fund
PINKARD	HOLDEN	10/26/15	00/00/0000	Building Fund
BRZOZOWSKI	RYAN	1/10/22	00/00/0000	Parking Enforcement
JANKOWSKI	PAMELA	4/4/22	00/00/0000	Parking Enforcement
SIERRA	PAUL	11/16/22	00/00/0000	Parking Enforcement
YAHIA	JAMAL	7/3/17	00/00/0000	Parking Enforcement
PECK	ELIZABETH	8/3/20	00/00/0000	Parking Enforcement
PEREZ-DIAZ	NORLEN	5/22/23	00/00/0000	Sanitation
WEISE	MARK	8/16/93	00/00/0000	Sanitation
WILLIAMSON	JOHN	10/12/99	00/00/0000	Sanitation
MCCRAE	ALVIN	2/27/17	00/00/0000	Sanitation
PLYMPTON	TAYLOR	5/20/19	00/00/0000	Sanitation
DOSS	ERIC	3/30/20	00/00/0000	Sanitation
PIERUCCI	STEVEN	10/28/13	00/00/0000	Sanitation
ZANGARA	KENNETH	4/2/97	00/00/0000	Stormwater
CARRIER	COLTON	5/17/16	00/00/0000	Stormwater
JOHNSON	CRAIG	1/6/20	00/00/0000	Stormwater
BUNCIC	BORIS	4/16/21	00/00/0000	Marina
DONALDSON	TAYLOR	4/23/21	00/00/0000	Marina
SIMMONS	BRIAN	12/14/20	00/00/0000	Marina
CRABTREE	BRIAN	2/8/03	00/00/0000	Marina
LAECHELT	BRYAN	8/15/11	00/00/0000	Marina
KROMREY	CHRISTOPHER	6/20/22	00/00/0000	Archibald Fund
MECKO	CHRISTOPHER	2/5/91	00/00/0000	Archibald Fund
SHAW	COLIN	8/22/16	00/00/0000	Archibald Fund

REQUEST FOR PROPOSAL

Classification and Compensation Study and Analysis

Request for Proposal Classification and Compensation Study and Analysis

I. Purpose of Request

The City of MADEIRA BEACH is seeking proposals from qualified consultants to conduct a comprehensive classification and compensation study and analysis.

The City employs ___ full time employees in ___ unique job classifications. The City of MADEIRA BEACH operates under a Council/Manager form of government.

II. Scope of Services

The study shall evaluate the present salary structure as compared to the specific job market for comparable positions in the public sectors. The consultant shall perform or provide the following:

- a) Review all current job classifications, confirm and recommend changes to hierarchical order of jobs using your evaluation system.
- b) Establish appropriate benchmarking standards and conduct salary surveys as needed for similar positions as required (prefer to assess duplicate benchmarks – both municipalities as well as local employers).
- c) Identify potential pay compression issues and provide potential solutions.
- d) Analyze and recommend changes to the present compensation matrix and/or structure to meet the market analysis. This recommendation may include recommendations for individual positions as well.

III. Preliminary Schedule

Activity	Date s
Release RFP	September 1, 2023
Deadline for submission of questions	September 15, 2023

Deadline for submission of proposals	September 30, 2023 @ 4:00 pm
Evaluation of proposals and selection process	Week of October 16, 2023
Interview finalists	Week of October 23, 2023
Negotiations	Week of October 30, 2023
Award of contract	Week of November 6, 2023
Completion of Work	Week of January 22, 2024

*All firms must set aside these dates for potential interviews if short-listed. Due to the short timeline to award a contract, only these dates and times will be made available for interviews.

IV. City Resources

The City will provide copies of all pay ranges, job classifications, previous studies and any other available in-house information requested by the selected consultant that may be required to complete the study.

V. Materials to Submit

Interested firms must submit eight copies of their proposal and one copy (USB – PDF Format). All bid proposals must be submitted in person or by mail to the Attention of the City Clerk no later than September 30, 2023 at 4:00 p.m., at which time the sealed bid proposals will be opened in a public meeting for that purpose. ALL bid proposals must be clearly marked “**SEALED**” outside the package. The address to submit the seal bid proposals:

City of Madeira Beach
 Attention: Clara VanBlargan, City Clerk
 300 Municipal Drive
 Madeira Beach, FL 33777

Interested parties are solely responsible for ensuring that that proposals are delivered on time. Proposals received after the due date and time will NOT be considered. *The total number of pages in the submittal shall not exceed fifteen (15) pages. Economy of preparation and brevity are encouraged.*

The City of Madeira Beach reserves the right to reject or accept any proposal or to waive any irregularities in any proposal deemed to be in the best interest of the City of Madeira Beach.

VI. Cost Proposal

This request for information does not, under any circumstance, commit the City to pay any costs incurred by any proposer in the submission of qualifications. The proposer is responsible for all costs associated with response to this request.

VII. Proposal Disposition

All materials submitted in response to this request for information shall become the property of the City of MADEIRA BEACH upon delivery and subject to applicable open records laws.

VIII. Proposal Content

The total number of pages in the proposal shall not exceed 15 pages.

- a) **Introduction** – On a cover sheet to the proposal, provide the official name, address, phone number and fax number of the applicant, as well as the name of the principal

contact person and the name of the person authorized to execute the contract.

b) **Experience and Qualifications** –

- A brief description of the experiences and qualifications.
- Listing and bios of proposed staff member(s) who will be performing the services.
- A brief description of the organization.
- A list of cities for which the consultant has conducted the comprehensive classification and compensation studies (within the past five years).
- A list of three recent client references, including telephone numbers, email addresses, and addresses.

c) **Approach/Methods Used to perform the Project** – Detailed description of the services and methods by which the work set forth in the RFP will be performed. The description shall include the following items:

- Proposer’s understanding of the services to be provided.
- Complete methodology to be used in determining benchmark positions, other cities and counties to include in the survey, and determining salary ranges.
- Description of the system you utilize to determine internal equity.
- Description/philosophy in determining market rates and how that relates to individual classification and what connection that might be to the pay table. Also, provide a description on how you determine minimums and maximums on the pay table.
- Estimated time the project will take from beginning to completion date.

d) **Cost Proposal** – This section should contain a complete breakdown of all costs relating to the content of the proposal, including the maximized total cost, as well as an itemized breakdown of the compensation required to accomplish the full performance of all tasks outlined in the proposal. Upon selection, it is expected that the consultant will make a minimum of 2 visits to the City. One to kick off the project to include meetings with staff to discuss issues and a meeting to present findings to the Civil Service Commission, the Board of Commissioners, the City Manager, and select staff.

e) **Review Process** – The City of MADEIRA BEACH reserves the right to reject any or all submittals. The City may request one or more firms to provide a detailed proposal.

IX. Evaluation Criteria – The following will be considered in the selection of a consultant:

- Qualifications and reputation of firm assigned staff and relevant experience in similar sized entities.
- Understanding of city-related issues and employee relations
- Team compatibility, including the ability to work with city staff based on references and other supporting information.
- Pricing

The City of MADEIRA BEACH is an Equal Opportunity Employer and does not discriminate on the basis of age, sex, religion, national origin, race, color, political affiliation, or disability.

For additional information, contact _____

X. Insurance Requirements

Liability insurance coverage shall be considered as primary and not as excess insurance. The carrier(s) shall provide thirty (30) days written notice to the City by registered mail prior to any modification, cancellation, non-renewal or other change in coverage. The policies must be effective prior to the commencement of work and must remain in force until termination of work under this contract. In the event of interruption of coverage for any reason, all work under the contract shall cease and shall not resume until coverage has been restored.

If at any time during the term of this contract or any extension thereof, any required policies of insurance should expire, or are canceled, it will be the responsibility of the Contractor to furnish to the City a Certificate of Insurance indicating renewal or an acceptable replacement of the expiring policy prior to the expiration or cancellation date so that there will be no lapse in any coverage. The City shall be named as an additional insured. The following minimum coverage is generally required of vendors providing services:

Workers Compensation	
Applicable State Statutory	
Employers' Liability	\$100,000.00
Automobile Liability - Owned, Non-owned and Hired	
Bodily Injury Each Person	\$100,000.00
Bodily Injury Each Occurrence	\$500,000.00
General Liability	
Bodily Injury	
Each Occurrence	\$500,000.00
Aggregate	\$500,000.00
Property Damage	
Each Occurrence	\$100,000.00
Aggregate	\$500,000.00
Personal Injury	
Each Occurrence	\$500,000.00
Aggregate	\$500,000.00



COMPENSATION STUDY

FY 2019 Plan for City of Madeira Beach



(888) 522-7772

www.pspc.us

1. EXECUTIVE SUMMARY

It is with pleasure that we present this summary describing the findings and recommendations from the FY 2019 Compensation Study.

A. SUMMARY OF FINDINGS

1. The City has approximately 51 unique job descriptions for providing City services; while PSPC was not contracted to make classification changes, we proposed minor title modifications as shown on page 3. These are informal suggestions as we were not afforded the opportunity to conduct a full study.
2. The City's current salary ranges are competitive (within 5% of prevailing rates) for 43% of the benchmark market sample job classifications (page 4).
3. The City's current salary ranges are not competitive (-5% of more below prevailing rates) for 57% of the benchmark market sample job classifications (page 4).
4. The full estimated base pay cost to adopt the proposed pay ranges for FY 2019, established at 100% of market average, and provide market adjustments for affected employees, is \$41,000 (page 10).

B. SUMMARY OF RECOMMENDATIONS

- Adopt the new salary range table on page 5 and the pay ranges proposed for each classification beginning on page 6.
- Bring the salaries of all employees below Minimum up to the new Minimum, and provide additional in-range market adjustments as financially able.
- Budget for salary increases within the proposed pay ranges in future years, and re-calculate the cost of any additional market increases for FY 2020.
 - a) The City does not need to conduct a new salary study as PSPC has already established benchmarks and aligned City jobs to market.
 - b) The City should contact their comparator agencies to establish how they are moving their salary ranges and how they are moving their employees through those ranges.
- Keep pace with the market as much as financially possible. When able, move your employees more than your ranges to avoid compression.

2. POSITION ANALYSIS AND CLASSIFICATION

Position analysis and classification is the process of documenting and verifying the number, type, and distinct levels of occupational job classes within the City, and assigning each budgeted position to the correct occupational job class. This process establishes the sound basis for the subsequent salary plan which is administered at the job class level.

A. PRINCIPAL STEPS IN THE CLASSIFICATION PROCESS

Without conducting a full classification study, the information on the following pages are loose recommendations.

Summary of Proposed Title Changes

Current Title	Proposed Title	Job Change Status
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Division Supervisor	Records Supervisor	New Title
Division Supervisor	Parking Enforcement Supervisor	New Title
Division Supervisor	Stormwater Supervisor	New Title
Division Supervisor	Sanitation Supervisor	New Title
Division Supervisor	Marina Supervisor	New Title
Division Supervisor	Recreation Supervisor	New Title
Accounting Manager	Accounting Manager	No Change
Building Codes Compliance Officer I	Building Codes Compliance Officer I	No Change
Building Codes Compliance Officer II	Building Codes Compliance Officer II	No Change
Building Codes Compliance Officer III	Building Codes Compliance Officer III	No Change
Building Official	Building Official	No Change
Childcare Director	Childcare Director	No Change
City Clerk	City Clerk	No Change
Code Enforcement Specialist	Code Enforcement Specialist	No Change
Deputy City Clerk	Deputy City Clerk	No Change
Driver/Paramedic	Driver/Paramedic	No Change
Executive Office Manager	Executive Assistant to City Manager	No Change
Finance Director	Finance Director	No Change
Fire Chief	Fire Chief	No Change
Fire Inspector	Fire Inspector	No Change
Firefighter / Paramedic	Firefighter / Paramedic	No Change
Fiscal Coordinator	Fiscal Coordinator	No Change
HR/Financial Coordinator	HR/Financial Coordinator	No Change
Lieutenant / Paramedic	Lieutenant / Paramedic	No Change
Marina & Public Works Director	Public Works / Marina Director	No Change
Parks and Recreation Director	Parks and Recreation Director	No Change
Planning & Zoning Director	Community Development Director	No Change
Planning and Zoning Coordinator	Planning and Zoning Coordinator	No Change
Public Information Specialist	Public Information Specialist	No Change
Recreation Leader I	Recreation Leader I	No Change
Recreation Leader II	Recreation Leader II	No Change
Recreation Leader III	Recreation Leader III	No Change
Administrative Assistant I	Administrative Assistant	Title Change
Administrative Assistant II	Senior Administrative Assistant	Title Change
Building Maintenance Worker I	Building Maintenance Worker	Title Change
Building Maintenance Worker II	Senior Building Maintenance Worker	Title Change
Grounds Maintenance Worker I	Parks Maintenance Worker	Title Change
Grounds Maintenance Worker II	Senior Parks Maintenance Worker	Title Change
Marina Assistant I	Marina Worker	Title Change
Marina Assistant II	Senior Marina Worker	Title Change
Parking Enforcement Officer I	Parking Enforcement Officer	Title Change
Parking Enforcement Officer II	Senior Parking Enforcement Officer	Title Change
Public Works Technician I	Public Works Technician	Title Change
Public Works Technician II	Senior Public Works Technician	Title Change
Sanitation Worker I	Sanitation Worker	Title Change
Sanitation Worker II	Senior Sanitation Worker	Title Change

3. EXTERNAL COMPARISONS

The following paragraphs and tables describe the market data collected and used for pay plan development.

A. SURVEY COMPARATORS

We obtained salary plan and job description details from the following employers for comparison:

Survey Organization	Number of Matches from Each Comparator	Comparator's Relationship to Madeira Beach	Comparator's Relationship to Market	Average Range Width	Sperlings Cost of Living Index
Belleair, City of	17	10%	-2%	91%	135.0%
Indian Rocks Beach, City of	7	1%	-9%	29%	158.0%
Pinellas Park, City of	28	19%	8%	51%	100.0%
Seminole, City of	25	8%	-2%	45%	106.0%
South Pasadena, City of	15	10%	-3%	47%	112.0%
St. Pete Beach, City of	28	5%	-6%	51%	146.0%
Treasure Island, City of	25	11%	5%	49%	137.5%
Madeira Beach, City of	32	NA	-12%	50%	153.0%

B. SURVEY METHODOLOGY

We utilized the standard "structure-to-structure" method to compare the City's salary structures to the prevailing rates. The City's salary structures and the prevailing rates are represented by their Midpoints, which are the amounts employers pay for sustained competent job performance.

The Midpoint is the most objective, occupation-specific and consistent component of salary structures among employers, as the varying widths of salary ranges are too great to utilize Minimum or Maximum. Midpoint is not affected by actual salary averages which may reflect longevity, pay-for-performance, and a myriad of subjective salary plan administration characteristics of the comparator employers. When individual salary plans were comprised of steps, the beginning and ending steps were added and the sum divided by two (2) to calculate a true midpoint.

C. SUMMARY OF SURVEY FINDINGS

The following table summarizes the City's variance to market; the City's current plan is competitive for 43% of the survey sample, and behind market by more than -5% for 57% of the survey sample.

<u>Relationship to Prevailing Rates</u>	<u>Benchmark Job Classes</u>	<u>% of Sample</u>
Below	17	57%
Comparable	7	23%
Above	6	20%

A. PROPOSED PAY TABLE

The following are suggested pay tables and salary ranges for each job classification.

A. CIVILIAN SCALE

Salary Range	Minimum	Midpoint	Maximum	Salary Range
3	\$18,346	\$22,932	\$27,518	3
4	\$19,263	\$24,079	\$28,894	4
5	\$20,226	\$25,283	\$30,339	5
6	\$21,237	\$26,547	\$31,856	6
7	\$22,299	\$27,874	\$33,449	7
8	\$23,414	\$29,268	\$35,121	8
9	\$24,585	\$30,731	\$36,877	9
10	\$25,814	\$32,268	\$38,721	10
11	\$27,105	\$33,881	\$40,657	11
12	\$28,460	\$35,575	\$42,690	12
13	\$29,883	\$37,354	\$44,825	13
14	\$31,377	\$39,222	\$47,066	14
15	\$32,946	\$41,183	\$49,419	15
16	\$34,593	\$43,242	\$51,890	16
17	\$36,323	\$45,404	\$54,485	17
18	\$38,139	\$47,674	\$57,209	18
19	\$40,046	\$50,058	\$60,069	19
20	\$42,048	\$52,561	\$63,073	20
21	\$44,151	\$55,189	\$66,226	21

- Jobs have been placed on pay ranges based on market data and internal relationships
- Individual jobs can be re-assigned to different pay ranges when market moves
- Salary adjustments can be budgeted within the pay ranges using current merit plan

B. FIRE RANGES

Pay ranges for Fire occupations are unchanged and outside the scope of this study.

PSPC did not review classification or compensation for the Fire Department other than the civilian position of Fire Chief.

Proposed FY 2019 Pay Range Placements (not all titles are active/funded)

Proposed Title	-- illustrated at 100% of Market --			
	Salary Range	Minimum	Midpoint	Maximum
Executive Assistant to City Manager	22	\$46,358	\$57,948	\$69,538
Senior Administrative Assistant	17	\$36,323	\$45,404	\$54,485
Administrative Assistant	12	\$28,460	\$35,575	\$42,690
Seasonal Employee	4	\$19,263	\$24,079	\$28,894
City Clerk	28	\$62,125	\$77,656	\$93,187
Deputy City Clerk	21	\$44,151	\$55,189	\$66,226
Public Information Specialist	21	\$44,151	\$55,189	\$66,226
Records Supervisor	18	\$38,139	\$47,674	\$57,209
Finance Director	34	\$83,253	\$104,066	\$124,880
Accounting Manager	27	\$59,166	\$73,958	\$88,750
Fiscal Coordinator	24	\$51,110	\$63,888	\$76,665
HR/Financial Coordinator	24	\$51,110	\$63,888	\$76,665
Parking Enforcement Supervisor	18	\$38,139	\$47,674	\$57,209
Senior Parking Enforcement Officer	11	\$27,105	\$33,881	\$40,657
Parking Enforcement Officer	3	\$18,346	\$22,932	\$27,518
Community Development Director	32	\$75,513	\$94,391	\$113,269
Building Official	32	\$75,513	\$94,391	\$113,269
Planning and Zoning Coordinator	26	\$56,349	\$70,436	\$84,523
Building Codes Compliance Officer III	19	\$40,046	\$50,058	\$60,069
Permit Technician	17	\$36,323	\$45,404	\$54,485

Building Codes Compliance Officer II	16	\$34,593	\$43,242	\$51,890
Building Codes Compliance Officer I	13	\$29,883	\$37,354	\$44,825
Merge W/ Administrative Assistant				
Code Enforcement Specialist	13	\$29,883	\$37,354	\$44,825
Stormwater Supervisor	21	\$44,151	\$55,189	\$66,226
Senior Public Works Technician	16	\$34,593	\$43,242	\$51,890
Public Works Technician	12	\$28,460	\$35,575	\$42,690
Senior Building Maintenance Worker	15	\$32,946	\$41,183	\$49,419
Building Maintenance Worker	11	\$27,105	\$33,881	\$40,657
Sanitation Supervisor	21	\$44,151	\$55,189	\$66,226
Senior Sanitation Worker	13	\$29,883	\$37,354	\$44,825
Sanitation Worker	9	\$24,585	\$30,731	\$36,877
Public Works / Marina Director	32	\$75,513	\$94,391	\$113,269
Marina Supervisor	21	\$44,151	\$55,189	\$66,226
Senior Marina Worker	13	\$29,883	\$37,354	\$44,825
Marina Worker	9	\$24,585	\$30,731	\$36,877
Parks and Recreation Director	32	\$75,513	\$94,391	\$113,269
Childcare Director	21	\$44,151	\$55,189	\$66,226
Parks Supervisor	21	\$44,151	\$55,189	\$66,226
Recreation Supervisor	21	\$44,151	\$55,189	\$66,226
Recreation Leader III	17	\$36,323	\$45,404	\$54,485
Recreation Leader II	11	\$27,105	\$33,881	\$40,657

Recreation Leader I	6	\$21,237	\$26,547	\$31,856
Mechanic	17	\$36,323	\$45,404	\$54,485
Senior Parks Maintenance Worker	13	\$29,883	\$37,354	\$44,825
Parks Maintenance Worker	9	\$24,585	\$30,731	\$36,877

Fire Chief	34	\$83,253	\$104,066	\$124,880
Fire Inspector				
Lieutenant / Paramedic				
Driver/Paramedic				
Firefighter / Paramedic				

4. SALARY ADMINISTRATION

Following are key salary plan maintenance procedures.

A. FUNDING INITIAL IMPLEMENTATION AND ANNUAL UPDATES

We recommend the City's salary plan be established, place jobs onto that salary schedule at 100% of the market rate, and move employees through the range to avoid compression.

First Phase of Implementation

- Employees who fall below new minimum will be moved to the new minimum for the pay range
- This was approved to be put into the budget during a Council session in late April 2019
- This costs approximately \$21,000

Second Phase of Implementation

- Move employees to Midpoint of their range in 7 or 10 years
- This costs approximately \$22,000 or \$33,000 depending upon how quickly the City moves employees to the midpoint

B. REGULAR PLAN UPDATE STEPS

- Budget for merit increases within the proposed pay ranges in future years, and re-calculate the cost of any additional market increases for FY 2020.
 - a) The City does not need to conduct a new salary study as PSPC has already established benchmarks and aligned City jobs to market.
 - b) The City should contact their comparator agencies to establish how they are moving their salary ranges and how they are moving their employees through those ranges.
- Keep pace with the market as much as financially possible. When able, move your employees more than your ranges to avoid compression.

PUBLIC SECTOR PERSONNEL CONSULTANTS

RESULTS OF THE COMPENSATION STUDY
FOR MADEIRA BEACH



MEETING AGENDA

- REVIEW PUBLIC SECTOR PERSONNEL CONSULTANT'S ROLE
- REVIEW SALARY SURVEY GUIDELINES
- EVALUATE COMPENSATION RESULTS
- OUTLINE COMPENSATION FINDINGS
- REVIEW IMPLEMENTATION OPTIONS

**PUBLIC
SECTOR**
PERSONNEL
CONSULTANTS

INTRODUCTION TO PUBLIC SECTOR PERSONNEL CONSULTANTS (PSPC)

- 1972 – ORIGINATED AS PUBLIC SECTOR GROUP OF HAY ASSOCIATES
- 1992 – WE ESTABLISHED OUR NATIONAL OFFICE IN ARIZONA
- WE SPECIALIZE IN HUMAN RESOURCES FOR PUBLIC EMPLOYERS
- OVER 1,000 PUBLIC EMPLOYERS SERVED BY MEMBERS OF OUR FIRM
- OUR GOAL IS TO BE AN OBJECTIVE 3RD PARTY PROVIDING ACCURACY, GUIDANCE, AND THOROUGHNESS IN ALL MATTERS RELATING TO COMPENSATION AND CLASSIFICATION

The logo for Public Sector Personnel Consultants features a red rectangular box on the left. To its right, the words "PUBLIC SECTOR PERSONNEL CONSULTANTS" are stacked vertically in a bold, black, sans-serif font.

**PUBLIC
SECTOR
PERSONNEL
CONSULTANTS**

SALARY SURVEY

- PSPC CONSIDERED THE RECOMMENDATIONS OF EMPLOYEE GROUPS AND REQUESTED JOB DESCRIPTIONS, ORG CHARTS, SALARY STRUCTURES, AND BENEFIT PLANS FROM 8 DIFFERENT ORGANIZATIONS AND THE PRIVATE SECTOR
- THESE COMPARATORS WERE SELECTED BASED ON THE AGREED UPON CRITERIA IN PLACE AT THE START OF THE STUDY
- SALARY SURVEY WILL ANSWER THE QUESTION OF "WHERE ARE WE?"
- IMPLEMENTATION ANSWERS THE QUESTION "WHERE DO WE WANT TO BE?"

HIGH LEVEL COMPENSATION SURVEY RESULTS

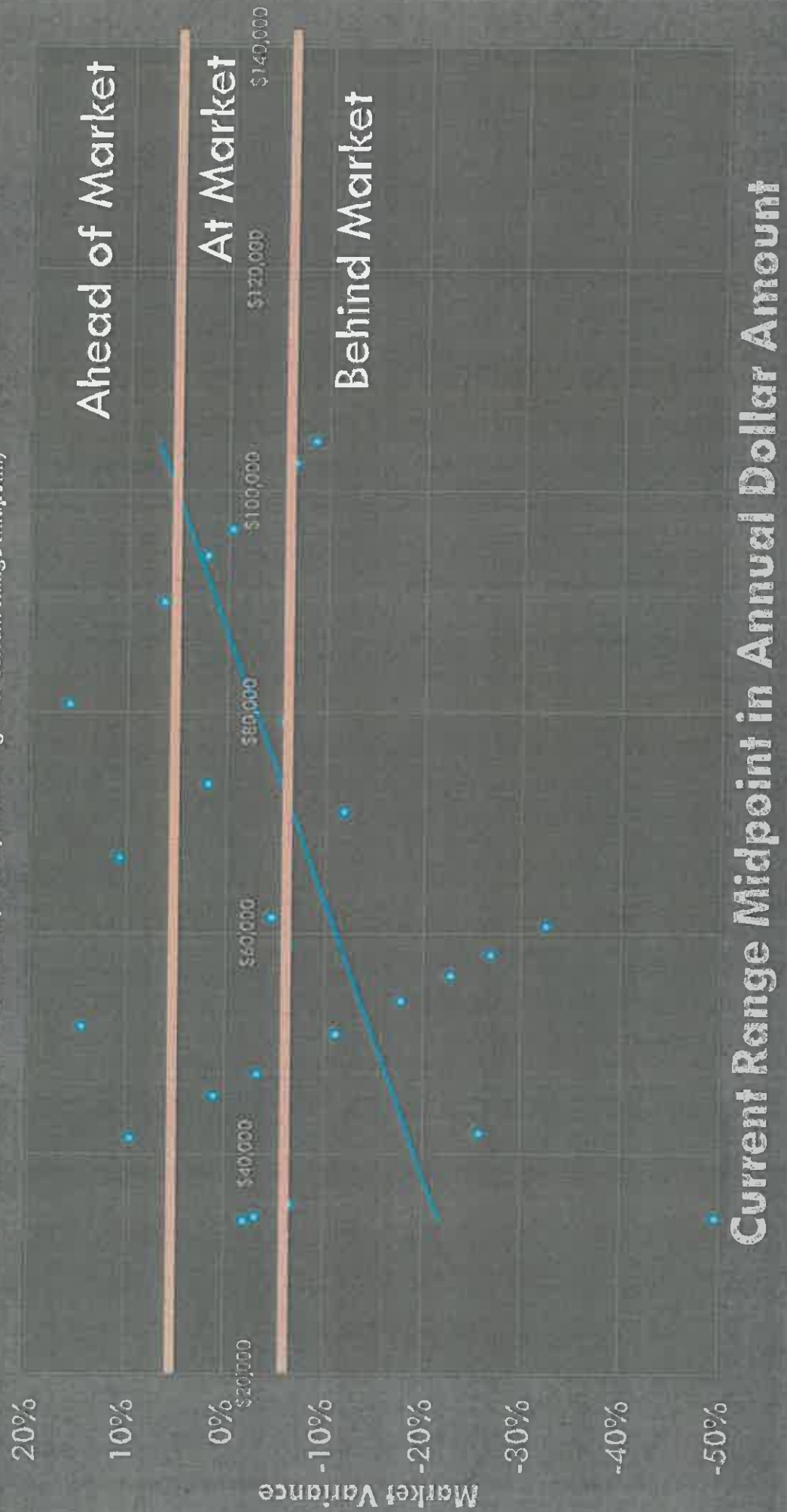
- PSPC SURVEYED ~32 POSITIONS AND FOUND OVER 200 COMPARABLE JOBS IN THE MARKET
- ON AVERAGE, MADEIRA BEACH IS AT, OR AHEAD, OF MARKET FOR 47% OF THEIR JOBS
- THIS IS LOOKING MIDPOINT TO MIDPOINT WITH NO ADJUSTMENTS FOR COST OF LIVING

MADEIRA BEACH IS COMPETITIVE FOR 47% OF JOBS

Compensation Summary	Number of Positions	Percentages of Positions
More than 5% Behind Market	16	53%
AT Market	8	27%
More than 5% Ahead of Market	6	20%



Current Midpoint Vs Market Variances
(Results of Salary Survey Shown Against Current Range Midpoint)



IMPLEMENTATION OPTIONS:

ESTABLISH A NEW SALARY SCHEDULES

- WITH THE EXCEPTION OF FIRE, ALL EMPLOYEES WOULD BE ON A NEW SALARY SCHEDULE THAT IS 50% WIDE, AND HAS 5% INCREASES BETWEEN RANGES
- PUBLIC SAFETY'S SALARY SCHEDULE WOULD BE ADJUSTED TO MATCH MARKET

USE MARKET TO PLACE JOBS ONTO SCHEDULES

- USE MARKET DATA TO PLACE JOBS ONTO THE SALARY SCHEDULE BASED ON PREVAILING RATE
- USE 30+ BENCHMARKS TO "SLOT" ADDITIONAL JOBS BASED ON INTERNAL EQUITY

MOVE EMPLOYEES THROUGH THEIR RANGE

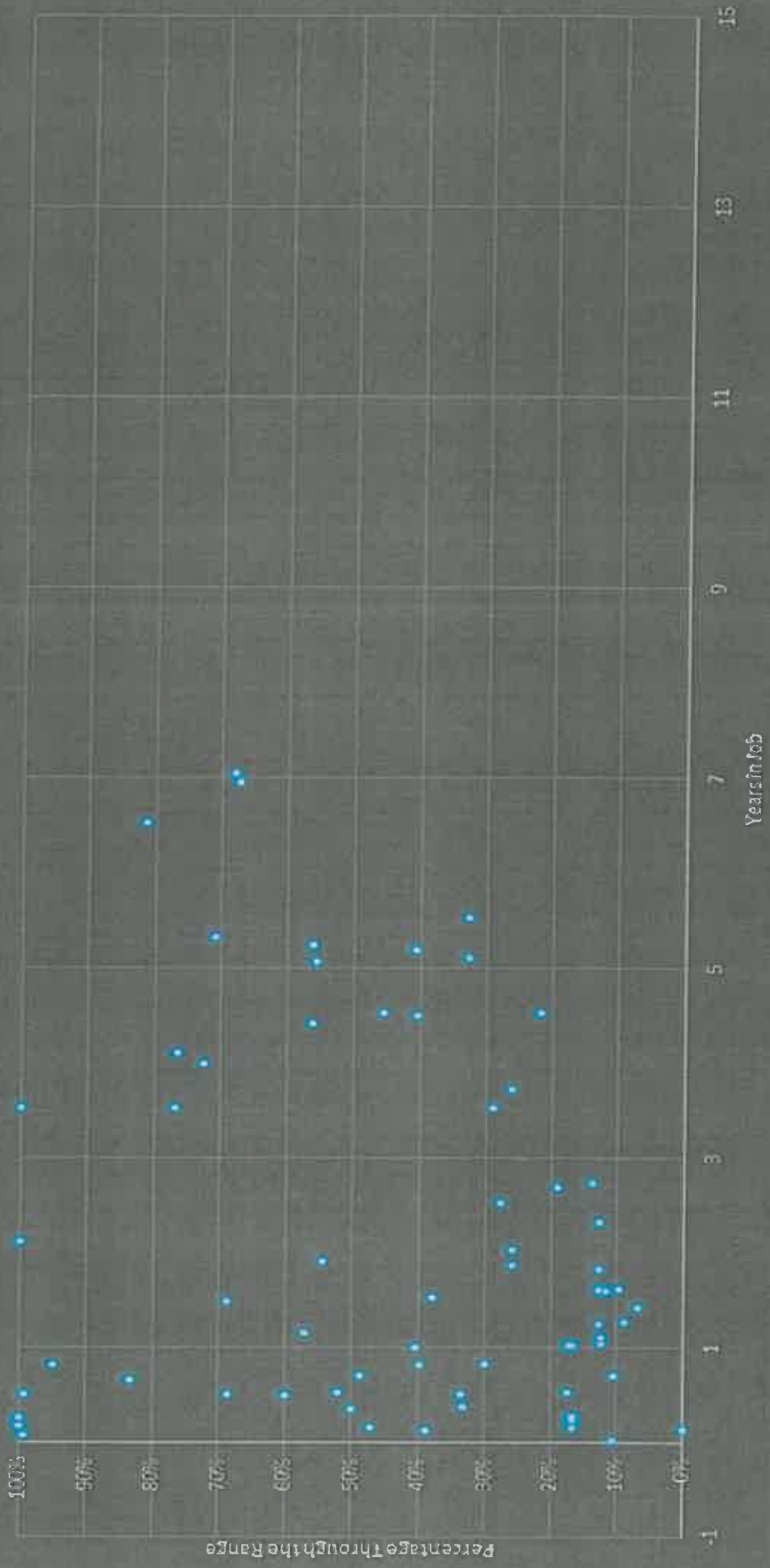
- TO AVOID COMPRESSION, MOVE EMPLOYEES INTO THE NEW RANGE
- MOVE EMPLOYEES TO MIDPOINT WITHIN A SET NUMBER OF YEARS
- SLOW EMPLOYEES DOWN AFTER MIDPOINT TO AVOID TAKING AWAY FUTURE EARNING POTENTIAL
- EMPLOYEES HAVE THE HIGHER GROWTH POTENTIAL FROM EARN IN A HIGHER RANGE WHILE AVOIDING SPENDING MONEY TO MAX OUT EMPLOYEES IN NEW RANGES

PROPOSED SALARY SCHEDULE

- MORE RANGES THAN SHOWN HERE
- PROVIDES ENOUGH RANGES TO RESPOND TO MARKET
- IE, A JOB CAN BE PLACED ON RANGE 8 OR 9 BASED ON MARKET – WITH MORE RANGES COMES MORE CHOICE
- THE RANGES ARE WIDE ENOUGH TO ALLOW EMPLOYEES TO MOVE FROM MINIMUM TO MAXIMUM AND AVOID COMPRESSION

Salary Range	Minimum	Midpoint	Maximum	Salary Range
0	\$0	\$0	\$0	0
1	\$16,640	\$20,800	\$24,960	1
2	\$17,472	\$21,840	\$26,208	2
3	\$18,346	\$22,932	\$27,518	3
4	\$19,263	\$24,079	\$28,894	4
5	\$20,226	\$25,283	\$30,339	5
6	\$21,237	\$26,547	\$31,856	6
7	\$22,299	\$27,874	\$33,449	7
8	\$23,414	\$29,268	\$35,121	8
9	\$24,585	\$30,731	\$36,877	9
10	\$25,814	\$32,268	\$38,721	10
11	\$27,105	\$33,881	\$40,657	11
12	\$28,460	\$35,575	\$42,690	12
13	\$29,883	\$37,354	\$44,825	13
14	\$31,377	\$39,222	\$47,066	14
15	\$32,946	\$41,183	\$49,419	15
16	\$34,593	\$43,242	\$51,890	16
17	\$36,323	\$45,404	\$54,485	17
18	\$38,139	\$47,674	\$57,209	18
19	\$40,046	\$50,058	\$60,069	19
20	\$42,048	\$52,561	\$63,073	20

Current Range Penetration by Years in Job



MADEIRA BEACH STUDY FINDINGS

SALARY SURVEY TELLS YOU WHERE YOU ARE, NOT WHERE YOU SHOULD BE
FINDINGS INFORM AND GUIDE RECRUITMENT AND RETENTION OF EMPLOYEES

NEXT STEPS:

MOVE ONTO NEW SALARY SCHEDULE

PLACE JOBS ONTO THE SALARY SCHEDULE BASED ON MARKET

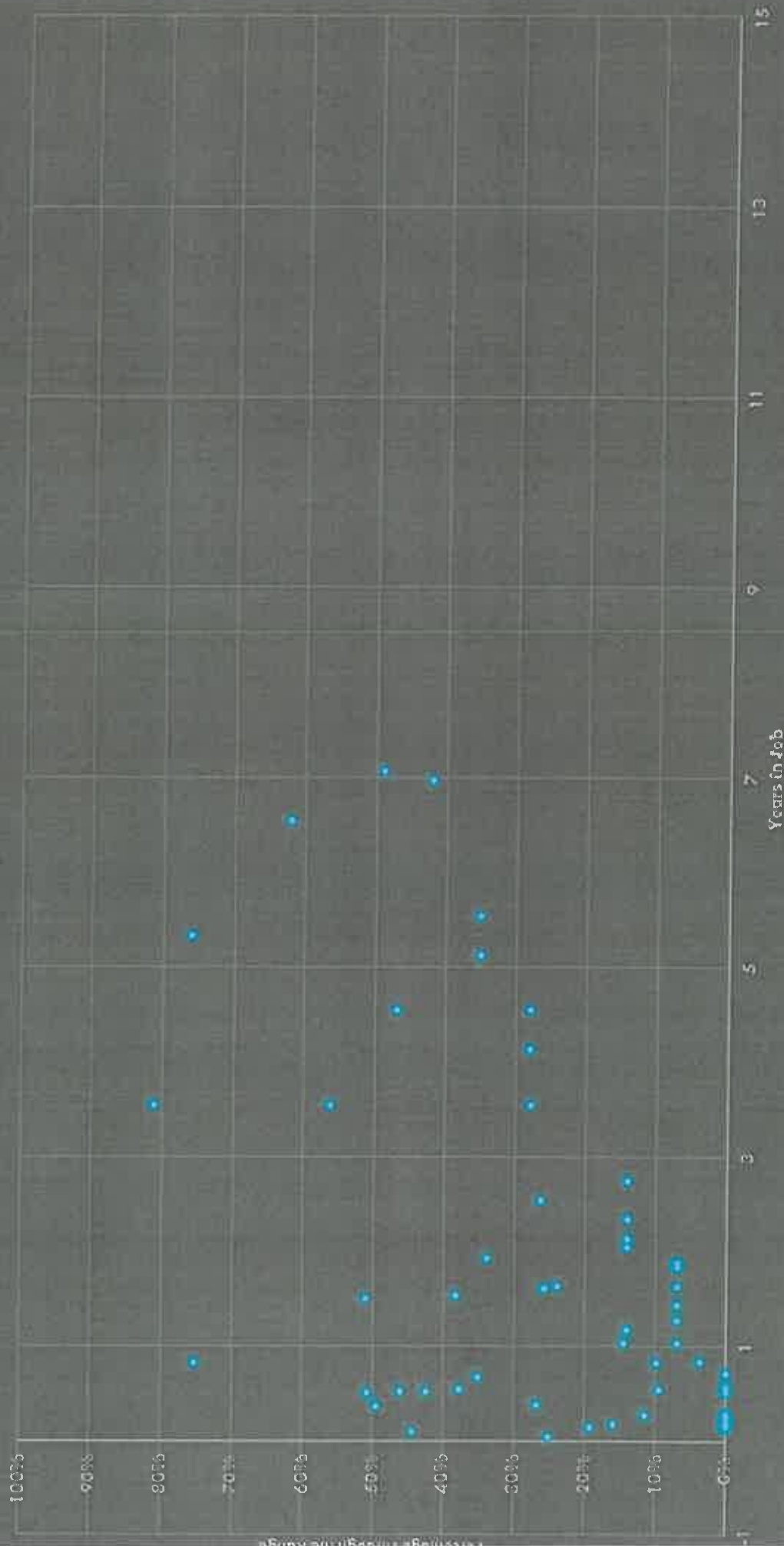
MOVE EMPLOYEES THROUGH THEIR NEW RANGES BASED ON TIME IN JOB

IMPLEMENTATION COSTS AND OPTIONS

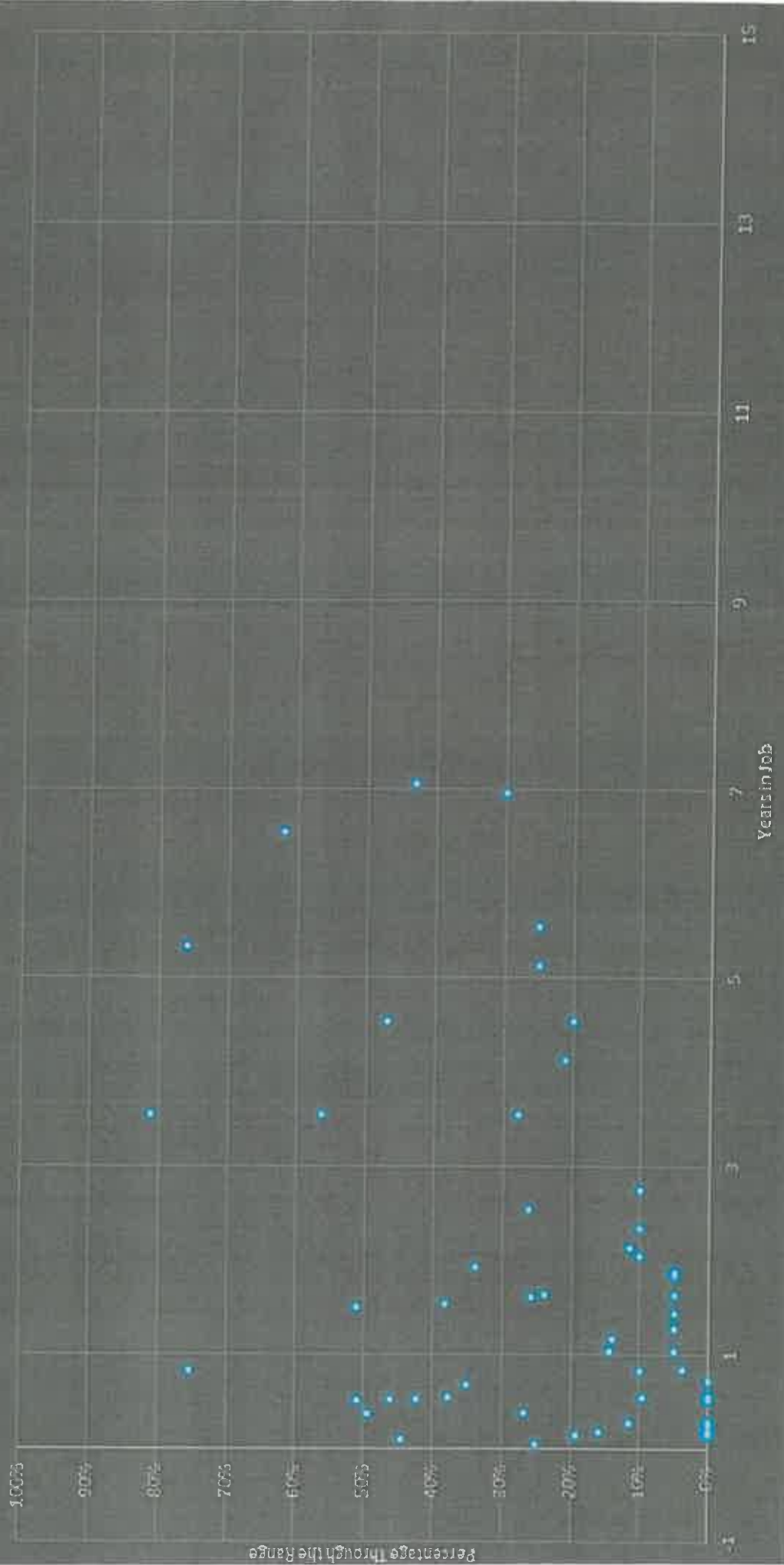
Move to 100% of Market (Not Including Fire)	Number of People Affected	Average Increase in Salary	Total Cost to Implement
Cost to Move to Minimum of New Range	17	\$1,293	\$21,983
Cost to Move to Midpoint in 10 Years (\$6K Cap)	14	\$1,616	\$22,623
Cost to Move to Midpoint in 10 Years (No Cap)	14	\$1,616	\$22,623
Cost to Move to Midpoint in 7 Years (\$6K Cap)	17	\$1,959	\$33,299
Cost to Move to Midpoint in 7 Years (No Cap)	17	\$2,162	\$36,751
Move to 100% of Market (Fire)	Number of People Affected	Average Increase in Salary	Total Cost to Implement
Cost to Remain on Current Step	12	\$4,091	\$49,090
Cost to Move to Next Nearest Step	12	\$255	\$3,055

Move to 105% of Market (Not Including Fire)	Number of People Affected	Average Increase in Salary	Total Cost to Implement
Cost to Move to Minimum of New Range	23	\$1,939	\$44,591
Cost to Move to Midpoint in 10 Years (\$6K Cap)	19	\$1,814	\$34,460
Cost to Move to Midpoint in 10 Years (No Cap)	19	\$1,814	\$34,460
Cost to Move to Midpoint in 7 Years (\$6K Cap)	20	\$2,418	\$48,353
Cost to Move to Midpoint in 7 Years (No Cap)	20	\$2,745	\$54,891
Move to 105% of Market (Fire)	Number of People Affected	Average Increase in Salary	Total Cost to Implement
Cost to Remain on Current Step	12	\$7,113	\$85,357
Cost to Move to Next Nearest Step	12	\$1,425	\$17,105

Range Penetration to Move to Midpoint in 7 Years by Years in Job



Range Penetration to Move to Midpoint in 10 Years
by Years in Job



PUBLIC SECTOR PERSONNEL CONSULTANTS



Madelira Beach 2019 Salary Survey Summary By Comparator Organization

Survey Organization	Number of Matches from Each Comparator	Survey Date	Aged to 8/1/2018	Base Compensation			General Details	
				Annual Aging Fac	Comparator's Relationship to Madelira Beach	Comparator's Relationship to Market	Average Range Width	Sperrings Cost of Living Index
Belleair, City of	17	7/2/2018	0%	10%	-2%	91%	135.0%	
Indian Rocks Beach, City of	7	7/3/2018	0%	1%	-9%	28%	158.0%	
Pinellas Park, City of	26	7/4/2018	0%	19%	8%	51%	100.0%	
Seminole, City of	25	7/5/2018	0%	8%	-2%	45%	106.0%	
South Pasadena, City of	15	7/6/2018	0%	10%	-3%	47%	112.0%	
St. Pete Beach, City of	28	7/7/2018	0%	5%	-6%	51%	146.0%	
Treasure Island, City of	25	7/8/2018	0%	11%	5%	49%	137.5%	
Madelira Beach, City of	32			NA	-12%	50%	153.0%	

Client Name Permanent Salary Range Table

Salary Range	Minimum	Midpoint	Maximum	Salary Range
3	\$18,346	\$22,932	\$27,518	3
4	\$19,263	\$24,079	\$28,894	4
5	\$20,226	\$25,283	\$30,339	5
6	\$21,237	\$26,547	\$31,856	6
7	\$22,299	\$27,874	\$33,449	7
8	\$23,414	\$29,268	\$35,121	8
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17	\$36,323	\$45,404	\$54,485	17
18	\$38,139	\$47,674	\$57,209	18
19	\$40,046	\$50,058	\$60,069	19
20	\$42,048	\$52,561	\$63,073	20
21	\$44,151	\$55,189	\$66,226	21
22	\$46,358	\$57,948	\$69,538	22
23	\$48,676	\$60,845	\$73,015	23
24	\$51,110	\$63,888	\$76,865	24
25	\$53,666	\$67,082	\$80,498	25
26	\$56,349	\$70,436	\$84,523	26
27	\$59,166	\$73,958	\$88,750	27
28	\$62,125	\$77,656	\$93,187	28
29	\$65,231	\$81,539	\$97,846	29
30	\$68,492	\$85,616	\$102,739	30
31	\$71,917	\$89,896	\$107,876	31
32	\$75,513	\$94,391	\$113,269	32
33	\$79,289	\$99,111	\$118,933	33
34	\$83,253	\$104,066	\$124,860	34
35	\$87,416	\$109,270	\$131,124	35
36	\$91,786	\$114,733	\$137,680	36
37	\$96,376	\$120,470	\$144,564	37
38	\$101,195	\$126,493	\$151,792	38
39	\$106,254	\$132,818	\$159,382	39
40	\$111,567	\$139,459	\$167,351	40
41	\$117,145	\$146,432	\$175,718	41
42	\$123,003	\$153,753	\$184,504	42
43	\$129,153	\$161,441	\$193,729	43
44	\$135,610	\$169,513	\$203,416	44
45	\$142,391	\$177,989	\$213,586	45
46	\$149,511	\$186,888	\$224,266	46
47	\$156,986	\$196,233	\$235,479	47
48	\$164,835	\$206,044	\$247,253	48
49	\$173,077	\$216,346	\$259,616	49
50	\$181,731	\$227,164	\$272,596	50

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations								
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Tool)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint				\$	%	
Accounting Manager												
	Accounting Manager			\$66,560	\$83,200	\$74,880			\$74,880	\$66,813	\$8,067	10.77%
Current Salary Range:		0								\$66,813		
Range Nearest Market:		64										
Administrative Assistant I												
	Administrative Assistant			\$23,920	\$42,640	\$33,280			\$33,280	\$35,444	-\$2,164	-6.50%
Current Salary Range:		0								\$35,444		
Range Nearest Market:		38										
Building Codes Compliance Office Building Codes Compliance Officer I												
	Building Codes Compliance Officer			\$19,760	\$26,000	\$22,880			\$22,880	\$38,003	-\$15,123	-65.10%
Current Salary Range:		0								\$38,003		
Range Nearest Market:		41										

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations						
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary		March Strength (From Matching Trial)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance
				Min	Max	Midpoint				\$
Building Codes Compliance Office Building Codes Compliance Officer III										
	Building Dev Plans Examiner		Pinellas Park, City of	\$35,360	\$56,150	\$45,760	100%	\$45,760	\$50,826	-\$5,066
	Building & Zoning Technician		Belleair, City of	\$44,730	\$68,062	\$56,396	100%	\$56,396	\$56,612	-\$216
	Zoning & Permitting Administrator (H)		St. Pete Beach, City of	\$37,211	\$70,447	\$53,829	100%	\$53,829	\$54,051	-\$222
	Building Services Coordinator		South Pasadena, City of	\$40,835	\$61,761	\$51,298	100%	\$51,298	\$51,474	-\$176
	Permit/Licensing Technician II		Seminole, City of	\$40,620	\$60,930	\$50,775	100%	\$50,775	\$50,956	-\$181
				\$33,376	\$48,396	\$40,886	100%	\$40,886	\$41,037	-\$151
Current Salary Range:		0								
Range Nearest Market:		53								
Building Maintenance Worker I Building Maintenance Worker										
	Facility Maintenance Worker		Indian Rocks Beach, City of	\$19,760	\$26,000	\$22,880	100%	\$22,880	\$34,228	-\$11,348
	Building Maintenance		Belleair, City of	\$31,200	\$39,516	\$35,358	100%	\$35,358	\$35,498	-\$140
	Building Maintenance Tech. I		Seminole, City of	\$28,458	\$42,191	\$34,324	100%	\$34,324	\$34,465	-\$141
	Facilities Maintenance Worker I		St. Pete Beach, City of	\$27,460	\$39,816	\$33,638	100%	\$33,638	\$33,763	-\$125
				\$26,322	\$39,822	\$33,072	100%	\$33,072	\$33,185	-\$113
Current Salary Range:		0								
Range Nearest Market:		37								
Building Official Building Official										
	Building Development Director		Pinellas Park, City of	\$82,000	\$110,240	\$96,120	100%	\$96,120	\$80,687	\$15,433
	Building Official		Belleair, City of	\$73,296	\$111,528	\$92,412	100%	\$92,412	\$82,766	\$9,646
	Building Official		Treasure Island, City of	\$45,240	\$129,293	\$87,267	100%	\$87,267	\$87,925	-\$658
	Building Official		St. Pete Beach, City of	\$64,533	\$96,800	\$80,667	100%	\$80,667	\$80,932	-\$265
	Building Official (Director)		Indian Rocks Beach, City of	\$59,134	\$89,448	\$74,291	100%	\$74,291	\$74,546	-\$255
				\$52,596	\$82,000	\$67,298	100%	\$67,298	\$67,565	-\$267
Current Salary Range:		0								
Range Nearest Market:		71								

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations								
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Toshi)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
City Clerk	City Clerk			\$66,560	\$83,200	\$74,880			\$74,880	\$79,154	-\$4,274	-5.71%
	City Clerk	0	Pinellas Park, City of	\$112,402	\$112,402	\$112,402	100%	100%	\$112,833	\$112,833		
	City Clerk	70	South Pasadena, City of	\$69,313	\$106,636	\$87,975	100%	100%	\$88,288	\$88,288		
	Town Clerk		Belleair, City of	\$45,240	\$129,293	\$87,267	100%	100%	\$87,625	\$87,625		
	City Clerk		St. Pete Beach, City of	\$56,320	\$85,191	\$70,755	100%	100%	\$70,998	\$70,998		
	City Clerk		Seminole, City of	\$51,778	\$75,078	\$63,428	100%	100%	\$63,862	\$63,862		
	City Clerk		Indian Rocks Beach, City of	\$51,313	\$51,313	\$51,313	100%	100%	\$51,517	\$51,517		
Current Salary Range:		0										
Range Nearest Market:		70										
Deputy City Clerk	Deputy City Clerk			\$35,360	\$56,160	\$45,760			\$45,760	\$60,628	-\$14,868	-32.49%
	Deputy City Clerk		Pinellas Park, City of	\$54,499	\$82,927	\$68,713	100%	100%	\$68,977	\$68,977		
	Deputy City Clerk		South Pasadena, City of	\$47,986	\$69,314	\$58,650	100%	100%	\$58,859	\$58,859		
	Deputy City Clerk (1)		St. Pete Beach, City of	\$42,875	\$64,850	\$53,863	100%	100%	\$54,047	\$54,047		
Current Salary Range:		0										
Range Nearest Market:		60										
Executive Office Manager	Executive Assistant to City Manager			\$49,920	\$70,720	\$60,320			\$60,320	\$51,538	\$8,782	14.56%
	Executive Assistant		Treasure Island, City of	\$45,831	\$68,745	\$57,288	100%	100%	\$57,476	\$57,476		
	Executive Assistant To The City Manager (1)		St. Pete Beach, City of	\$42,875	\$64,850	\$53,863	100%	100%	\$54,047	\$54,047		
	Secretary To The City Manager		Seminole, City of	\$35,045	\$50,816	\$42,930	100%	100%	\$43,089	\$43,089		
Current Salary Range:		0										
Range Nearest Market:		53										

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations								
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Tool)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
Finance Director	Finance Director			\$82,000	\$110,240	\$86,120			\$56,120	\$102,475	-\$6,355	-6.61%
	Finance Director		Treasure Island, City of	\$89,769	\$134,654	\$112,212	100%	100%	\$112,580	\$112,580	\$0	0%
	Finance Administrator		Pinellas Park, City of	\$87,126	\$132,572	\$109,849	100%	100%	\$110,270	\$110,270	\$0	0%
	Finance Director		Seminole, City of	\$80,324	\$116,470	\$98,397	100%	100%	\$98,761	\$98,761	\$0	0%
	Finance Director		South Pasadena, City of	\$69,313	\$106,636	\$87,975	100%	100%	\$88,288	\$88,288	\$0	0%
Current Salary Range:				0								
Range Nearest Market:				81								
				Prevailing Rate: \$102,475								
Fire Chief	Fire Chief			\$82,000	\$110,240	\$95,120			\$56,120	\$104,451	-\$8,331	-8.67%
	Fire Chief		Pinellas Park, City of	\$91,536	\$139,283	\$115,410	100%	100%	\$115,852	\$115,852	\$0	0%
	Fire Chief		Treasure Island, City of	\$89,769	\$134,654	\$112,212	100%	100%	\$112,580	\$112,580	\$0	0%
	Fire Chief		Seminole, City of	\$80,324	\$116,470	\$98,397	100%	100%	\$98,761	\$98,761	\$0	0%
	Fire Chief		St. Pete Beach, City of	\$71,880	\$108,725	\$90,303	100%	100%	\$90,612	\$90,612	\$0	0%
Current Salary Range:				0								
Range Nearest Market:				82								
				Prevailing Rate: \$104,451								
Fire Inspector	Fire Inspector			\$56,356	\$75,737	\$66,046			\$66,046	\$52,475	\$13,572	20.55%
	Fire Inspector/Investigator		Pinellas Park, City of	\$44,932	\$65,075	\$55,004	100%	100%	\$55,214	\$55,214	\$0	0%
	Fire Inspector		Treasure Island, City of	\$44,776	\$63,308	\$54,042	100%	100%	\$54,220	\$54,220	\$0	0%
	Fire Inspector		Seminole, City of	\$40,614	\$55,790	\$48,202	100%	100%	\$48,380	\$48,380	\$0	0%
	Fire Inspector		St. Pete Beach, City of	\$41,609	\$62,205	\$51,907	100%	100%	\$52,085	\$52,085	\$0	0%
Current Salary Range:				0								
Range Nearest Market:				54								
				Prevailing Rate: \$52,475								

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Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations								
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Tool)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
Lieutenant / Paramedic	Lieutenant / Paramedic			\$53,286	\$73,760	\$63,523			\$63,523	\$70,364	-\$6,861	-10.50%
Fire Lieutenant (56 Hour)+Paramedic Assignment			Pinellas Park, City of	\$65,537	\$78,758	\$72,148	100%	100%		\$72,424		
LT/Paramedic			Treasure Island, City of	\$59,259	\$76,056	\$67,658	100%	100%		\$87,860		
LT/Paramedic			South Pasadena, City of	\$75,503	\$81,267	\$78,385	100%	100%		\$78,664		
Lieutenant/Medic			Seminole, City of	\$56,603	\$72,989	\$64,796	100%	100%		\$65,036		
LT/Paramedic			St. Pete Beach, City of	\$59,457	\$75,914	\$67,686	100%	100%		\$67,917		
Current Salary Range:		0								Prevailing Rate:	\$70,384	
Range Nearest Market:		66										

Madeira Beach 2019 Salary Survey

Classification Details			Beech Salary Calculations									
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Beech Annual Salary			Match Strength (From Matching Tool)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
Driver/Paramedic	Driver/Paramedic			\$47,529	\$69,862	\$58,695			\$58,696	\$81,395	-\$2,700	-4.60%
	Firefighter + Driver Incentive		Pinellas Park, City of Treasure Island, City of South Pasadena, City of	\$51,214	\$78,948	\$65,081	100%	100%		\$65,330		
	Fire Medic + Driver Incentive		Seminole, City of	\$48,412	\$70,412	\$59,412	100%	100%		\$59,632		
	Firefighter/Paramedic + Driver Incentive		St. Pete Beach, City of	\$48,391	\$68,653	\$59,022	100%	100%		\$59,224		
	0											
	60											
Current Salary Range:										Prevalling Rate: \$61,395		
Range Nearest Market:												
Firefighter / Paramedic	Firefighter / Paramedic			\$44,917	\$65,983	\$55,440			\$55,440	\$58,646	-\$3,206	-5.78%
	Firefighter + Paramedic Add Pay		Pinellas Park, City of	\$48,884	\$67,868	\$58,376	100%	100%		\$58,600		
	Firefighter/Paramedic		Treasure Island, City of	\$46,841	\$68,340	\$57,491	100%	100%		\$57,680		
	Firefighter/Paramedic		South Pasadena, City of	\$51,958	\$72,552	\$62,255	100%	100%		\$62,477		
	Fire Medic		Seminole, City of	\$45,500	\$67,500	\$56,500	100%	100%		\$56,709		
	Firefighter/Paramedic		St. Pete Beach, City of	\$46,935	\$68,197	\$57,566	100%	100%		\$57,763		
Current Salary Range:										Prevalling Rate: \$58,646		
Range Nearest Market:												
Marina & Public Works Director	Public Works / Marina Director			\$82,000	\$110,240	\$96,120			\$96,120	\$98,492	-\$372	-0.39%
	Public Works Director		Treasure Island, City of	\$89,769	\$134,654	\$112,212	100%	100%		\$112,580		
	Public Works Administrator		Pinellas Park, City of	\$87,126	\$132,572	\$109,849	100%	100%		\$110,270		
	Director Of Public Works		St. Pete Beach, City of	\$71,880	\$106,725	\$90,303	100%	100%		\$90,612		
	Director Of Public Works		Seminole, City of	\$72,857	\$105,642	\$89,249	100%	100%		\$89,579		
	Director Of Public Works		South Pasadena, City of	\$69,313	\$106,636	\$87,975	100%	100%		\$88,288		
	Director Of Public Works		Belleair, City of	\$45,240	\$129,293	\$87,267	100%	100%		\$87,625		
Current Salary Range:										Prevalling Rate: \$96,492		
Range Nearest Market:												

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Madeira Beach 2019 Salary Survey

Classification Details			Base Salary Calculations									
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Tool)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
Parks and Recreation Director	Parks and Recreation Director			\$82,000	\$110,240	\$96,120			\$96,120	\$89,935	\$6,185	6.43%
	Recreation Director		Treasure Island, City of	\$79,842	\$119,762	\$99,802	110%	100%		\$110,143		
	Recreation Director		St. Pete Beach, City of	\$68,457	\$103,547	\$86,002	110%	100%		\$94,926		
	Recreation Director		Seminole, City of	\$68,387	\$100,611	\$84,999	110%	100%		\$93,845		
	Director Parks/Recreation & Public Works		Belleair, City of	\$45,240	\$129,293	\$87,267	100%	100%		\$87,625		
	Parks & Recreation Director		Pinellas Park, City of	\$64,782	\$98,575	\$81,678	100%	100%		\$81,992		
	Public Services Director		Indian Rocks Beach, City of	\$56,640	\$84,980	\$70,800	100%	100%		\$71,081		
	0											
	76											
Current Salary Range:				Prevaling Rate: \$89,935								
Range Nearest Market:												

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations								
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Tool)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint				\$	%	
Grounds Maintenance Worker I	Parks Maintenance Worker			\$19,780	\$26,000	\$22,880			\$22,880	\$35,319	-\$12,439	-54.37%
	Parks Technician		Seminole, City of	\$31,787	\$46,091	\$38,939	100%	100%		\$39,083		
	Community Service Worker		Indian Rocks Beach, City of	\$31,200	\$37,612	\$34,406	100%	100%		\$34,543		
	Parks Maintenance Worker I		Belleair, City of	\$28,468	\$42,191	\$34,324	100%	100%		\$34,465		
	Beach Maintenance Worker I		St. Pete Beach, City of	\$26,322	\$39,822	\$33,072	100%	100%		\$33,165		
Current Salary Range:	0									Prevailing Rate: \$35,319		
Range Nearest Market:	38											
Planning & Zoning Director	Community Development Director			\$82,000	\$110,240	\$96,120			\$96,120	\$94,110	\$2,010	2.09%
	Community Improvement Director		Treasure Island, City of	\$79,842	\$119,762	\$99,802	100%	100%		\$100,130		
	Planning & Development Services Dir.		Pinellas Park, City of	\$77,006	\$117,174	\$97,090	100%	100%		\$97,462		
	Director Of Community Development		Seminole, City of	\$76,499	\$110,924	\$93,712	100%	100%		\$94,058		
	Community Development Director		St. Pete Beach, City of	\$71,880	\$108,725	\$90,303	100%	100%		\$90,612		
	Community Improvement Director		South Pasadena, City of	\$69,313	\$106,636	\$87,975	100%	100%		\$88,288		
Current Salary Range:	0									Prevailing Rate: \$94,110		
Range Nearest Market:	77											
Planning and Zoning Coordinator	Planning and Zoning Coordinator			\$49,920	\$70,720	\$60,320			\$60,320	\$73,487	-\$13,167	-21.83%
	Assistant Planning & Zoning Director		Pinellas Park, City of	\$63,202	\$96,170	\$79,686	100%	100%		\$79,992		
	City Planner		Treasure Island, City of	\$58,090	\$87,135	\$72,613	100%	100%		\$72,851		
	Senior Planner		St. Pete Beach, City of	\$53,639	\$81,132	\$67,386	100%	100%		\$67,617		
Current Salary Range:	0									Prevailing Rate: \$73,487		
Range Nearest Market:	67											

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations								
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Tool)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
Public Information Specialist	Public Information Specialist			\$35,360	\$56,160	\$45,760			\$45,760	\$53,855	-\$8,095	-17.59%
	Public Information Officer		Treasure Island, City of	\$45,831	\$68,745	\$57,288	100%	100%		\$57,476		
	Management Analyst I And II		Belleair, City of	\$37,211	\$70,447	\$53,829	100%	100%		\$54,051		
	Communications & Marketing Specialist		Pinellas Park, City of	\$39,535	\$60,157	\$49,846	100%	100%		\$50,037		
Current Salary Range:	0									\$53,855		
Range Nearest Market:	55											
Public Works Technician I	Public Works Technician			\$19,760	\$26,000	\$22,880			\$22,880	\$35,758	-\$12,878	-56.29%
	Community Services Technician		Pinellas Park, City of	\$33,259	\$50,607	\$41,933	100%	100%		\$42,094		
	Municipal Maint. I		South Pasadena, City of	\$30,398	\$42,572	\$36,485	100%	100%		\$36,615		
	Stormwater Maintenance I		Belleair, City of	\$27,768	\$44,301	\$36,034	100%	100%		\$36,182		
	Service Worker II		Treasure Island, City of	\$27,082	\$41,330	\$34,206	100%	100%		\$34,318		
	Stormwater Maintenance Worker I		St. Pete Beach, City of	\$26,322	\$39,822	\$33,072	100%	100%		\$33,185		
	Maintenance I		Seminole, City of	\$26,151	\$37,919	\$32,035	100%	100%		\$32,154		
Current Salary Range:	0									\$35,758		
Range Nearest Market:	38											
Division Supervisor	Records Supervisor			\$35,360	\$56,160	\$45,760			\$45,760	\$47,248	-\$1,488	-3.25%
	Records Center Supervisor		Pinellas Park, City of	\$42,574	\$64,782	\$53,678	100%	100%		\$53,884		
	Records Coordinator		Treasure Island, City of	\$37,066	\$54,163	\$45,614	100%	100%		\$45,764		
	Lead Records Center Technician		Pinellas Park, City of	\$33,259	\$50,607	\$41,933	100%	100%		\$42,094		
Current Salary Range:	0									\$47,248		
Range Nearest Market:	50											

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations								
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Total)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
Recreation Leader II	Recreation Leader II			\$23,920	\$42,540	\$33,280			\$33,280	\$33,931	-\$651	-1.96%
	Recreation Assistant		Pinellas Park, City of	\$27,980	\$42,574	\$35,277	100%	100%	\$35,277	\$35,413	-\$136	-0.38%
	Recreation Aide		Treasure Island, City of	\$27,082	\$41,330	\$34,206	100%	100%	\$34,206	\$34,318	-\$112	-0.33%
	Recreation Leader I		St. Pete Beach, City of	\$28,322	\$39,822	\$33,072	100%	100%	\$33,072	\$33,185	-\$113	-0.34%
	Recreation Leader I		Belleair, City of	\$25,168	\$40,181	\$32,675	100%	100%	\$32,675	\$32,809	-\$134	-0.41%
Current Salary Range:	0									Prevailing Rate: \$33,931		
Range Nearest Market:	36											
Recreation Leader III	Recreation Leader III			\$35,360	\$56,160	\$45,760			\$45,760	\$45,259	\$501	1.10%
	Recreation Coordinator		Pinellas Park, City of	\$40,523	\$61,092	\$51,092	100%	100%	\$51,092	\$51,288	-\$195	-0.38%
	Recreation Program Coordinator		Seminole, City of	\$38,637	\$56,024	\$47,331	100%	100%	\$47,331	\$47,508	-\$177	-0.37%
	Recreation Leader II		St. Pete Beach, City of	\$33,594	\$50,816	\$42,206	100%	100%	\$42,206	\$42,350	-\$144	-0.34%
	Recreation Programmer II		Belleair, City of	\$30,618	\$48,840	\$39,729	100%	100%	\$39,729	\$39,892	-\$163	-0.41%
Current Salary Range:	0									Prevailing Rate: \$45,259		
Range Nearest Market:	48											
Division Supervisor	Recreation Supervisor			\$35,360	\$56,160	\$45,760			\$45,760	\$56,176	-\$10,416	-22.76%
	Recreation & Aquatics Supervisor		Pinellas Park, City of	\$46,994	\$71,508	\$59,251	100%	100%	\$59,251	\$59,478	-\$227	-0.38%
	Recreation Supervisor		Belleair, City of	\$38,083	\$75,595	\$57,339	100%	100%	\$57,339	\$57,575	-\$236	-0.41%
	Recreation Program Coordinator		St. Pete Beach, City of	\$40,835	\$61,761	\$51,298	100%	100%	\$51,298	\$51,474	-\$176	-0.34%
Current Salary Range:	0									Prevailing Rate: \$56,176		
Range Nearest Market:	57											

Madeira Beach 2019 Salary Survey

Classification Details			Base Salary Calculations									
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Match Strength (From Matching Test)	Aging Factor (From Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint					\$	%
Division Supervisor	Sanitation Supervisor			\$35,350	\$56,160	\$45,760			\$45,760	\$58,040	-\$12,280	-26.84%
	Public Works Supervisor		Treasure Island, City of	\$52,025	\$78,038	\$65,032	100%	100%		\$65,245		
	Solid Waste Supervisor		Belleair, City of	\$37,211	\$64,043	\$50,627	100%	100%		\$50,835		
	Current Salary Range:	0								\$58,040		
	Range Nearest Market:	58										
	Administrative Assistant II			\$35,350	\$56,160	\$45,760			\$45,760	\$41,423	\$4,337	9.46%
	Administrative Assistant		Pinellas Park, City of	\$37,630	\$57,258	\$47,444	100%	100%		\$47,626		
	Office Manager		Treasure Island, City of	\$35,256	\$51,605	\$43,430	100%	100%		\$43,573		
	Administrative Secretary		South Pasadena, City of	\$36,502	\$51,122	\$43,312	100%	100%		\$43,466		
	Administrative Assistant		Indian Rocks Beach, City of	\$34,565	\$51,849	\$43,207	100%	100%		\$43,379		
	Administrative Assistant II		Seminole, City of	\$31,787	\$46,091	\$38,939	100%	100%		\$39,083		
	Administrative Assistant		Belleair, City of	\$28,162	\$46,514	\$37,838	100%	100%		\$37,993		
	Library Assistant II		SL Pete Beach, City of	\$27,639	\$41,800	\$34,719	100%	100%		\$34,838		
	Current Salary Range:	0								\$41,423		
	Range Nearest Market:	44										
	Building Maintenance Worker II			\$23,920	\$42,640	\$33,280			\$33,280	\$41,841	-\$8,561	-25.72%
	Senior Building Maintenance Worker		Seminole, City of	\$36,797	\$53,356	\$45,077	100%	100%		\$45,244		
	Building Maintenance Technician II		Treasure Island, City of	\$33,675	\$49,213	\$41,444	100%	100%		\$41,580		
	Facilities Maintenance Technician		St. Pete Beach, City of	\$31,995	\$48,385	\$40,190	100%	100%		\$40,327		
	Facilities Maintenance Worker III		South Pasadena, City of	\$33,385	\$46,755	\$40,070	100%	100%		\$40,213		
	Municipal Maintenance Tech II											
	Current Salary Range:	0								\$41,841		
	Range Nearest Market:	45										

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations							
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary		Match Strength (From Matching Tool)	Aging Factor (From Survey Source Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint				\$	%
Parking Enforcement Officer II	Senior Parking Enforcement Officer		Treasure Island, City of	\$23,920	\$42,640	\$33,280		\$33,280	\$34,318	-\$1,038	-3.12%
	Parking Enforcement Specialist		Treasure Island, City of	\$27,082	\$41,330	\$34,206	100%		\$34,318		
Current Salary Range:	0										
Range Nearest Market:	37										
											Prevailing Rate: \$34,318
Division Supervisor	Stormwater Supervisor			\$35,360	\$56,160	\$45,760		\$45,760	\$56,823	-\$11,063	-24.18%
	Public Works Supervisor		Treasure Island, City of	\$52,025	\$78,038	\$65,032	100%		\$65,245		
	Stormwater Supervisor		Pinellas Park, City of	\$45,848	\$69,783	\$57,806	100%		\$58,028		
	Public Works Supervisor		Seminole, City of	\$44,728	\$64,859	\$54,793	100%		\$54,986		
	Crew Chief		St. Pete Beach, City of	\$38,890	\$58,824	\$48,857	100%		\$49,024		
Current Salary Range:	0										
Range Nearest Market:	57										Prevailing Rate: \$56,823
Mechanic	Mechanic			\$35,360	\$56,160	\$45,760		\$45,760	\$45,167	\$593	1.30%
	City Mechanic		Seminole, City of	\$36,797	\$53,356	\$45,077	100%		\$45,244		
	Mechanic		St. Pete Beach, City of	\$37,036	\$56,010	\$46,523	100%		\$46,683		
	Mechanic		Treasure Island, City of	\$35,256	\$51,605	\$43,430	100%		\$43,573		
Current Salary Range:	0										
Range Nearest Market:	48										Prevailing Rate: \$45,167

Madeira Beach 2019 Salary Survey

Classification Details				Base Salary Calculations							
Current Job Class Title	Proposed Job Class Title	Survey Job Class	Survey Organization	Base Annual Salary			Aging Factor (from Survey Sources Tab)	Base Comp Midpoint	Market Base Comp Midpoint	Variance	
				Min	Max	Midpoint				\$	%

Permit Technician											
0											
				\$35,360	\$56,160	\$45,760		\$45,760	\$36,308	\$9,452	20.66%
	Permit/Licensing Technician II		Seminole, City of	\$33,376	\$48,396	\$40,886	100%	\$41,037	\$41,037	\$0	0%
	ASSISTANT PERMIT LICENSING TECH		South Pasadena, City of	\$28,259	\$42,121	\$35,190	100%	\$35,315	\$35,315	\$0	0%
	Code Enforcement Clerk (P/T)		St. Pete Beach, City of	\$21,655	\$32,756	\$27,205	100%	\$27,299	\$27,299	\$0	0%
	Permit/Licensing Technician		Treasure Island, City of	\$33,675	\$49,213	\$41,444	100%	\$41,580	\$41,580	\$0	0%
	Current Salary Range:								Prevailing Rate:	\$36,308	
	Range Nearest Market:										

HR/Financial Coordinator											
0											
				\$49,920	\$70,720	\$60,320		\$60,320	\$53,952	\$6,368	-6.02%
	HR & Risk Management Coordinator		Belleair, City of	\$37,211	\$70,447	\$53,829	100%	\$54,051	\$54,051	\$0	0%
	Human Resources Management Analyst		Pinellas Park, City of	\$53,170	\$80,904	\$67,037	100%	\$67,294	\$67,294	\$0	0%
	Human Resources Director		Seminole, City of	\$54,367	\$78,832	\$66,599	100%	\$66,845	\$66,845	\$0	0%
	Human Resources Administrator		St. Pete Beach, City of	\$53,639	\$81,132	\$67,386	100%	\$67,617	\$67,617	\$0	0%
	Current Salary Range:								Prevailing Rate:	\$63,952	
	Range Nearest Market:										

Madeira Beach 2019 External Competitiveness Review

Class Information		Base Salary Calculations				
Proposed Job Classification Title	Current Job Classification Title	Madeira Beach Base Salary Midpoint	Market Base Salary Midpoint	\$	%	Base Comp Relationship to Market
Building Codes Compliance Officer I	Building Codes Compliance Officer I	\$22,880	\$38,003	-\$15,123	-68.10%	More than 5% Behind Market
Public Works Technician	Public Works Technician I	\$22,880	\$35,758	-\$12,878	-58.23%	More than 5% Behind Market
Parks Maintenance Worker	Grounds Maintenance Worker I	\$22,880	\$35,318	-\$12,439	-54.37%	More than 5% Behind Market
Building Maintenance Worker	Building Maintenance Worker I	\$22,880	\$34,228	-\$11,348	-49.80%	More than 5% Behind Market
Deputy City Clerk	Deputy City Clerk	\$45,760	\$60,628	-\$14,868	-32.49%	More than 5% Behind Market
Sanitation Supervisor	Division Supervisor	\$45,760	\$68,040	-\$12,280	-28.84%	More than 5% Behind Market
Senior Building Maintenance Worker	Building Maintenance Worker II	\$33,280	\$41,841	-\$8,561	-26.72%	More than 5% Behind Market
Recreation Supervisor	Division Supervisor	\$45,760	\$66,178	-\$10,418	-22.76%	More than 5% Behind Market
Public Information Specialist	Public Information Specialist	\$45,760	\$63,855	-\$8,095	-17.99%	More than 5% Behind Market
Building Codes Compliance Officer III	Building Codes Compliance Officer III	\$45,760	\$60,826	-\$5,066	-11.07%	More than 5% Behind Market
Fire Chief	Fire Chief	\$68,120	\$104,451	-\$36,331	-6.67%	More than 5% Behind Market
Lieutenant / Paramedic	Lieutenant / Paramedic	\$63,623	\$70,384	-\$6,761	-10.80%	More than 5% Behind Market
Finance Director	Finance Director	\$68,120	\$102,475	-\$34,355	-8.81%	More than 5% Behind Market
Administrative Assistant	Administrative Assistant I	\$33,280	\$35,444	-\$2,164	-6.50%	More than 5% Behind Market
City Clerk	City Clerk	\$74,880	\$79,154	-\$4,274	-5.71%	More than 5% Behind Market
Firefighter / Paramedic	Firefighter / Paramedic	\$55,440	\$58,646	-\$3,206	-5.79%	More than 5% Behind Market
Records Supervisor	Division Supervisor	\$45,760	\$47,248	-\$1,488	-3.25%	At Market
Senior Parking Enforcement Officer	Parking Enforcement Officer II	\$33,280	\$34,318	-\$1,038	-3.12%	At Market
Recreation Leader II	Recreation Leader II	\$33,280	\$33,931	-\$651	-1.99%	At Market
Driver/Paramedic	Driver/Paramedic	\$58,888	\$61,365	-\$2,477	-4.00%	At Market
Public Works / Marina Director	Marina & Public Works Director	\$68,120	\$68,462	-\$342	-0.39%	At Market
Recreation Leader III	Recreation Leader III	\$45,760	\$45,259	\$501	1.10%	At Market
Planning and Zoning Coordinator	Planning and Zoning Coordinator	\$60,320	\$73,467	-\$13,167	-21.53%	More than 5% Behind Market
Community Development Director	Planning & Zoning Director	\$68,120	\$2,010	\$2,010	2.09%	At Market
Parks and Recreation Director	Parks and Recreation Director	\$68,120	\$69,835	\$1,715	8.43%	More than 5% Ahead of Market
Senior Administrative Assistant	Administrative Assistant II	\$45,760	\$41,423	\$4,337	8.49%	More than 5% Ahead of Market
Accounting Manager	Accounting Manager	\$74,880	\$68,613	\$6,267	10.77%	More than 5% Ahead of Market
Executive Assistant to City Manager	Executive Office Manager	\$60,320	\$51,538	\$8,782	14.55%	More than 5% Ahead of Market
Building Official	Building Official	\$68,120	\$60,887	\$7,233	10.68%	More than 5% Ahead of Market
Fire Inspector	Fire Inspector	\$65,048	\$62,475	\$2,573	20.55%	More than 5% Ahead of Market
		\$0				

Madeira Beach 2019 Table 5 Proposed Pay Range Placements (Job Group Order)

Current Job Title	Proposed Job Title	PROPOSED				Market			Current			Current Salary Range	
		Job Change Code	Range	MIN	MID	MAX	Nearest Range to Market	Market Midpoint	Nearest Range to Current	Current Min	Current Mid		Current Max
Administrative/Clerical Support													
Executive Office Manager	Executive Assistant to City Manager	No Change	22	\$46,356	\$67,048	\$89,538	20	\$	61,538	23	\$49,920	\$60,320	\$70,720
Administrative Assistant II	Senior Administrative Assistant	Title Change	17	\$36,323	\$45,404	\$54,485	16	\$	41,423	17	\$35,360	\$45,760	\$56,160
Administrative Assistant I	Administrative Assistant	Title Change	12	\$28,480	\$35,075	\$42,660	12	\$	35,444	11	\$23,920	\$33,280	\$42,640
	Seasonal Employee	New Title	4	\$19,263	\$24,079	\$28,894					\$19,760	\$22,680	\$26,000
Administration													
City Clerk	City Clerk	No Change	26	\$62,125	\$77,666	\$93,187	26	\$	78,164	27	\$65,560	\$74,960	\$83,200
Deputy City Clerk	Deputy City Clerk	No Change	21	\$44,151	\$55,186	\$66,228	23	\$	60,628	17	\$35,360	\$45,760	\$56,160
Public Information Specialist	Public Information Specialist	No Change	21	\$44,151	\$55,186	\$66,228	20	\$	53,866	17	\$35,360	\$45,760	\$56,160
Division Supervisor	Records Supervisor	New Title	16	\$38,139	\$47,674	\$57,209	18	\$	47,248	17	\$35,360	\$45,760	\$56,160
Finance													
Finance Director	Finance Director	No Change	34	\$65,233	\$104,069	\$124,880	34	\$	102,475	32	\$62,000	\$96,120	\$110,240
Accounting Manager	Accounting Manager	No Change	27	\$59,166	\$73,858	\$88,750	25	\$	68,813	27	\$58,560	\$74,880	\$88,200
Fiscal Coordinator	Fiscal Coordinator	No Change	24	\$51,110	\$63,888	\$78,665	23	\$	69,720	23	\$49,920	\$60,320	\$70,720
HR/Financial Coordinator	HR/Financial Coordinator	No Change	24	\$51,110	\$63,888	\$78,665	24	\$	63,652	23	\$49,920	\$60,320	\$70,720
Finance - Building Enforcement													
Division Supervisor	Permitting Enforcement Supervisor	New Title	18	\$38,139	\$47,674	\$57,209				17	\$35,360	\$45,760	\$56,160
Permitting Enforcement Officer II	Senior Permitting Enforcement Officer	Title Change	11	\$27,105	\$33,881	\$40,657	11	\$	34,318	11	\$23,920	\$33,280	\$42,640
Permitting Enforcement Officer I	Permitting Enforcement Officer	Title Change	3	\$18,346	\$22,932	\$27,518	3			3	\$18,760	\$22,880	\$28,000
Community Development													
Planning & Zoning Director	Community Development Director	No Change	32	\$76,513	\$94,391	\$113,269	32	\$	94,110	32	\$62,000	\$96,120	\$110,240
Building Official	Building Official	No Change	32	\$76,513	\$94,391	\$113,269	29	\$	80,667	32	\$62,000	\$96,120	\$110,240
Planning and Zoning Coordinator	Planning and Zoning Coordinator	No Change	26	\$63,349	\$70,493	\$84,523	27	\$	73,487	23	\$49,920	\$60,320	\$70,720
Building Codes Compliance Officer III	Building Codes Compliance Officer III	No Change	19	\$40,046	\$50,058	\$60,069	19	\$	50,628	17	\$35,360	\$45,760	\$56,160
Building Codes Compliance Officer II	Permit Technician	New Title	17	\$39,323	\$46,404	\$54,485	12	\$	36,308	17	\$35,360	\$45,760	\$56,160
Building Codes Compliance Officer I	Building Codes Compliance Officer II	No Change	16	\$34,593	\$43,242	\$51,890	12	\$	36,308	11	\$23,920	\$33,280	\$42,640
Assistant Building Official	Building Codes Compliance Officer I	No Change	13	\$29,683	\$37,364	\$44,626	13	\$	38,003	3	\$19,760	\$22,880	\$26,000
	Merge W/ Administrative Assistant	Merge									\$23,920	\$33,280	\$42,640
Community Development - Code Enforcement													
Code Enforcement Specialist	Code Enforcement Specialist	No Change	13	\$29,683	\$37,364	\$44,626	3			3	\$19,760	\$22,880	\$28,000

* Survey Data May Have Been Rerun/Revised
BPC

Madeira Beach 2019 Table 5 Proposed Pay Range Placements (Job Group Order)

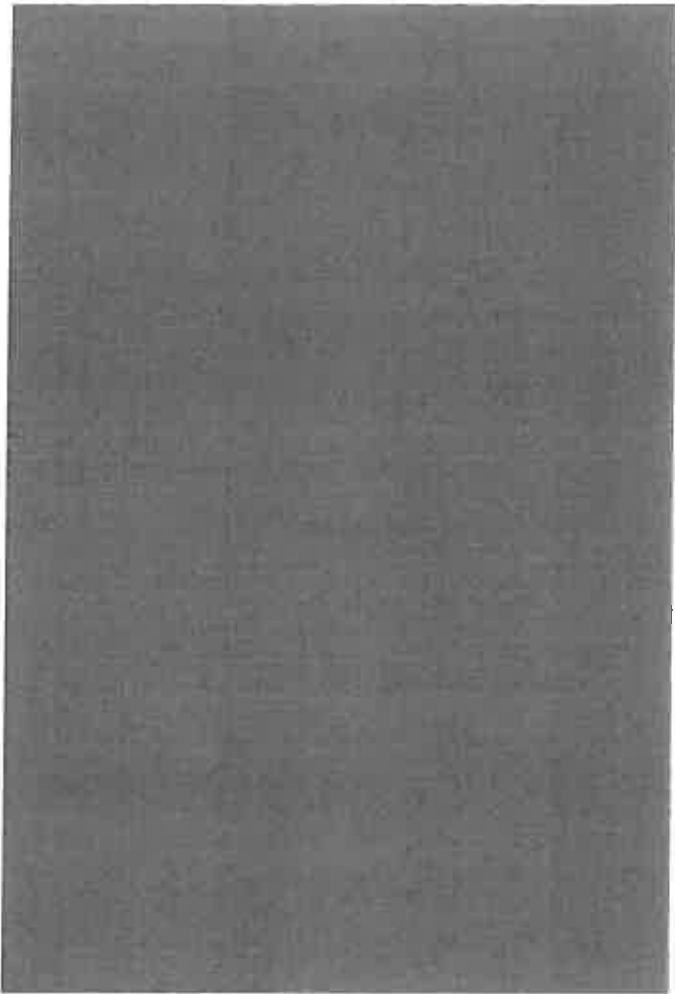
Current Job Title	Proposed Job Title	PROPOSED				Market			Current				
		Job Change Code	Range	MIN	MID	MAX	Nearest Range to Market	Market Midpoint	Nearest Range to Current	Current Min	Current Mid	Current Max	
Public Works - Stormwater													
Division Supervisor	Stormwater Supervisor		21	\$44,151	\$55,189	\$68,228	22	\$	58,823	17	\$35,360	\$45,760	\$55,160
Public Works Technician II	Senior Public Works Technician		16	\$34,593	\$43,242	\$51,600				11	\$23,920	\$33,260	\$42,640
Public Works Technician I	Public Works Technician		12	\$28,460	\$35,575	\$42,690	12	\$	35,758	3	\$18,760	\$22,860	\$28,000
Building Maintenance Worker II	Senior Building Maintenance Worker		16	\$32,048	\$41,183	\$49,419	15	\$	41,841	11	\$23,920	\$33,260	\$42,640
Building Maintenance Worker I	Building Maintenance Worker		11	\$27,105	\$33,881	\$40,857	11	\$	34,228	3	\$18,760	\$22,860	\$28,000
Public Works - Sanitation													
Division Supervisor	Sanitation Supervisor		21	\$44,151	\$55,189	\$68,228	22	\$	58,040	17	\$35,360	\$45,760	\$55,160
Sanitation Worker II	Senior Sanitation Worker		13	\$29,863	\$37,354	\$44,825				11	\$23,920	\$33,260	\$42,640
Sanitation Worker I	Sanitation Worker		9	\$24,585	\$30,731	\$38,877	3			3	\$18,760	\$22,860	\$28,000
Public Works - Marina													
Marina & Public Works Director	Public Works / Marina Director		32	\$75,513	\$94,391	\$113,269	32	\$	98,482	32	\$62,000	\$88,120	\$110,240
Division Supervisor	Marina Supervisor		21	\$44,151	\$55,189	\$68,228				17	\$35,360	\$45,760	\$55,160
Marina Assistant II	Senior Marina Worker		13	\$29,863	\$37,354	\$44,825				11	\$23,920	\$33,260	\$42,640
Marina Assistant I	Marina Worker		9	\$24,585	\$30,731	\$38,877	3			3	\$18,760	\$22,860	\$28,000
Parks and Recreation													
Parks and Recreation Director	Parks and Recreation Director		32	\$75,513	\$94,391	\$113,269	31	\$	89,835	32	\$62,000	\$88,120	\$110,240
Childcare Director	Childcare Director		21	\$44,151	\$55,189	\$68,228				17	\$35,360	\$45,760	\$55,160
Division Supervisor	Parks Supervisor		21	\$44,151	\$55,189	\$68,228				17	\$35,360	\$45,760	\$55,160
Division Supervisor	Recreation Supervisor		21	\$44,151	\$55,189	\$68,228	21	\$	66,176	17	\$35,360	\$45,760	\$55,160
Recreation Leader III	Recreation Leader III		17	\$36,323	\$45,404	\$54,485	17	\$	45,259	17	\$35,360	\$45,760	\$55,160
Recreation Leader II	Recreation Leader II		17	\$36,323	\$45,404	\$54,485	17	\$	45,259	17	\$35,360	\$45,760	\$55,160
Recreation Leader I	Recreation Leader I		8	\$21,237	\$28,547	\$33,881	11	\$	33,681	11	\$23,920	\$33,260	\$42,640
Mechanic	Mechanic		17	\$35,323	\$45,404	\$54,485	17	\$	45,157	3	\$18,760	\$22,860	\$28,000
Grounds Maintenance Worker II	Senior Parks Maintenance Worker		13	\$29,863	\$37,354	\$44,825				11	\$23,920	\$33,260	\$42,640
Grounds Maintenance Worker I	Parks Maintenance Worker		9	\$24,585	\$30,731	\$38,877	12	\$	35,319	3	\$18,760	\$22,860	\$28,000
Fire													
Fire Chief	Fire Chief		34	\$83,253	\$104,083	\$124,860	34	\$	104,461	32	\$62,000	\$88,120	\$110,240
Fire Inspector	Fire Inspector		20	\$52,475	\$65,358	\$78,241	20	\$	65,358	25	\$38,877	\$51,760	\$64,643
Lieutenant / Paramedic	Lieutenant / Paramedic		26	\$61,384	\$75,475	\$89,566	26	\$	75,475	24	\$47,528	\$61,619	\$75,710
Driver/Paramedic	Driver/Paramedic		23	\$51,365	\$62,456	\$73,547	23	\$	61,365	22	\$38,877	\$51,760	\$64,643
Freightier / Paramedic	Freightier / Paramedic		22	\$46,346	\$56,437	\$66,528	22	\$	56,437	21	\$33,860	\$43,951	\$54,042

* Survey Data May Have Been Referenced

DRAFT**Madeira Beach 2019****Classification Summary Position Classification Plan****Index of Current to Recommended Job Class**

Job ID	Current Job Title	Recommended Job Class	Job Change Code
203	Division Supervisor	Records Supervisor	New Title
401	Division Supervisor	Parking Enforcement Supervisor	New Title
601	Division Supervisor	Stormwater Supervisor	New Title
701	Division Supervisor	Sanitation Supervisor	New Title
802	Division Supervisor	Marina Supervisor	New Title
903	Division Supervisor	Recreation Supervisor	New Title
302	Accounting Manager	Accounting Manager	No Change
506	Building Codes Compliance Officer I	Building Codes Compliance Officer I	No Change
505	Building Codes Compliance Officer II	Building Codes Compliance Officer II	No Change
504	Building Codes Compliance Officer III	Building Codes Compliance Officer III	No Change
502	Building Official	Building Official	No Change
902	Childcare Director	Childcare Director	No Change
201	City Clerk	City Clerk	No Change
507	Code Enforcement Specialist	Code Enforcement Specialist	No Change
202	Deputy City Clerk	Deputy City Clerk	No Change
1004	Driver/Paramedic	Driver/Paramedic	No Change
101	Executive Office Manager	Executive Assistant to City Manager	No Change
301	Finance Director	Finance Director	No Change
1001	Fire Chief	Fire Chief	No Change
1002	Fire Inspector	Fire Inspector	No Change
1005	Firefighter / Paramedic	Firefighter / Paramedic	No Change
303	Fiscal Coordinator	Fiscal Coordinator	No Change
304	HR/Financial Coordinator	HR/Financial Coordinator	No Change
1003	Lieutenant / Paramedic	Lieutenant / Paramedic	No Change
801	Marina & Public Works Director	Public Works / Marina Director	No Change
901	Parks and Recreation Director	Parks and Recreation Director	No Change
501	Planning & Zoning Director	Community Development Director	No Change
503	Planning and Zoning Coordinator	Planning and Zoning Coordinator	No Change
204	Public Information Specialist	Public Information Specialist	No Change
906	Recreation Leader I	Recreation Leader I	No Change
905	Recreation Leader II	Recreation Leader II	No Change
904	Recreation Leader III	Recreation Leader III	No Change
103	Administrative Assistant I	Administrative Assistant	Title Change
102	Administrative Assistant II	Senior Administrative Assistant	Title Change
605	Building Maintenance Worker I	Building Maintenance Worker	Title Change
604	Building Maintenance Worker II	Senior Building Maintenance Worker	Title Change
908	Grounds Maintenance Worker I	Parks Maintenance Worker	Title Change
907	Grounds Maintenance Worker II	Senior Parks Maintenance Worker	Title Change
804	Marina Assistant I	Marina Worker	Title Change
803	Marina Assistant II	Senior Marina Worker	Title Change
403	Parking Enforcement Officer I	Parking Enforcement Officer	Title Change
402	Parking Enforcement Officer II	Senior Parking Enforcement Officer	Title Change
603	Public Works Technician I	Public Works Technician	Title Change
602	Public Works Technician II	Senior Public Works Technician	Title Change
703	Sanitation Worker I	Sanitation Worker	Title Change
702	Sanitation Worker II	Senior Sanitation Worker	Title Change

Poyroll ID	First Name	Proposed Job Title	Actual Salary	Hours Worked in Year	Fit	Time In Job	Below New Minimum?	Cost to Minimum	Suggested Salary	Suggested Salary AFTER all movement	New Hourly Rate	Cost to Implement Midpoint in 7 Years (W \$8K Cap)
1132	LOWAN, JENNIFER	Planning and Zoning Coordinator	\$ 65,001.44	2080	100%	0.971	Yes	\$1,347.51	\$53,349	\$ 53,349.95	\$ 27.09	\$ -
9242	SCHRAMER, RUSSELL	Public Works Tech I	\$ 26,000.00	2080	100%	0.804	Yes	\$2,462.05	\$28,462	\$ 28,462.05	\$ 13.68	\$ -
9381	BROWN, COLIN	Marina Asst I	\$ 9,880.00	1040	60%	0.557	Yes	\$2,412.43	\$12,292	\$ 12,292.43	\$ 24.11	\$ 8,000.00
9322	CRABTREE, BRIAN	Marina Supervisor	\$ 42,171.58	2080	100%	3.954	Yes	\$1,979.29	\$44,151	\$ 50,150.87	\$ 24.11	\$ 8,000.00
9207	PERLECCI, STEVEN	Sanitation Supervisor	\$ 42,171.58	2080	100%	5.935	Yes	\$1,979.29	\$44,151	\$ 50,150.87	\$ 24.11	\$ 8,000.00
9326	LAECHELT, BRYAN	Marina Asst II	\$ 27,995.55	2080	100%	4.954	Yes	\$1,897.50	\$29,893	\$ 34,088.68	\$ 18.38	\$ 1,183.63
9243	GIOVINNE, DONALD	Public Works Tech II	\$ 32,760.00	2080	100%	0.587	Yes	\$1,833.35	\$34,593	\$ 34,593.36	\$ 18.63	\$ -
4242	YAHIA, JAMAL	Parking Enr Officer II	\$ 25,871.87	2080	100%	1.124	Yes	\$1,232.83	\$27,105	\$ 29,053.47	\$ 13.49	\$ 948.67
1131	BUSZINSKI, CAROL	Seasonal Code Enr Specialist	\$ 6,489.80	520	25%	0.833	Yes	\$ 991.16	\$7,471	\$ 7,470.78	\$ 14.37	\$ -
5160	MCCURRY, CATHERINE	Rec Ldr I	\$ 10,275.20	1040	50%	1.680	Yes	\$ 343.45	\$10,619	\$ 10,619.65	\$ 10.57	\$ 371.65
5167	LOMBARDI, DEMI	Rec Leader I	\$ 10,400.00	1040	50%	0.694	Yes	\$ 171.73	\$5,308	\$ 10,619.65	\$ 10.57	\$ 371.65
5181	LAWSON, PAIGE	Seasonal Rec Ldr I	\$ 5,137.60	520	25%	2.250	Yes	\$ 171.73	\$5,308	\$ 5,680.98	\$ 10.82	\$ 371.65
5186	WATESKA, TRAVIS	Seasonal Rec Ldr I	\$ 5,137.60	520	25%	2.042	Yes	\$ 171.73	\$5,308	\$ 5,680.98	\$ 10.82	\$ 371.65
7019	CARRIER, COLTON	Seasonal Employee	\$ 5,137.60	520	25%	2.752	Yes	\$ 171.73	\$5,308	\$ 5,680.98	\$ 10.82	\$ 371.65
5185	LOMBARDI, BROOKE	Seasonal Rec Ldr I	\$ 5,200.00	520	25%	0.694	Yes	\$ 109.33	\$5,309	\$ 5,309.33	\$ 10.21	\$ -
5181	KAPUSTIA, DANIELA	Rec Leader II	\$ 27,040.00	2080	100%	1.448	Yes	\$ 64.81	\$27,105	\$ 28,053.47	\$ 13.49	\$ 948.67
5184	GOTTEL, TYLER	Rec Leader I	\$ 10,693.21	1040	50%	2.291	No	-	\$10,698	\$ 11,351.97	\$ 10.82	\$ 675.76
7020	MCCRAE, ALVIN	Sanitation Wr I	\$ 28,000.00	2080	100%	2.548	No	-	\$28,000	\$ 28,306.80	\$ 12.65	\$ 305.82
5182	MECKO, CONNOR	Rec Leader I	\$ 10,688.21	1040	50%	2.484	No	-	\$10,688	\$ 11,351.97	\$ 10.82	\$ 675.76
9211	MICALSKA, MAXWELL	Rec Leader III	\$ 38,774.40	2080	100%	1.853	No	-	\$38,774	\$ 39,594.34	\$ 18.07	\$ 819.94
9210	DAVIS, KENNETH	Public Works Tech II	\$ 38,245.38	2080	100%	4.538	No	-	\$38,245	\$ 39,436.44	\$ 18.88	\$ 1,191.06
4130	O'NEAL, DERRYL	Fire Chief	\$ 101,239.42	2080	100%	7.472	No	-	\$101,239	\$ 103,650.08	\$ 48.65	\$ 2,410.63
4904	LARAMEE, DEBORAH	Perks Supervisor	\$ 58,104.80	2080	100%	2.968	No	-	\$58,105	\$ 60,597.07	\$ 29.13	\$ 2,492.27
4910	ZANGARA, KENNETH	PW Supervisor	\$ 48,374.40	2080	100%	7.378	No	-	\$48,374	\$ 49,987.94	\$ 26.43	\$ 1,613.54
1128	CADE, PATRICK	Accounting Manager	\$ 83,200.00	2080	100%	3.954	No	-	\$83,200	\$ 83,200.00	\$ 40.00	\$ -
3003	ROLIH, DONNA	Admin Asst I	\$ 43,548.05	2080	100%	9.209	No	-	\$43,548	\$ 43,548.05	\$ 20.84	\$ -
4135	ILNICKA EATON, PATRICIA	Admin Asst II	\$ 41,378.48	2080	100%	3.954	No	-	\$41,378	\$ 41,378.48	\$ 19.89	\$ -
9327	WIEFFER, MEGAN	Admin Asst II	\$ 43,284.00	2080	100%	1.952	No	-	\$43,284	\$ 43,284.00	\$ 20.80	\$ -
1122	SINKFIELD, GWENDOLYN	Admin Asst II	\$ 44,846.05	2080	100%	4.954	No	-	\$44,846	\$ 44,846.05	\$ 21.58	\$ -
4281	PINKARD, HOLDEN	Bldg Codes Comp II	\$ 38,245.38	2080	100%	3.183	No	-	\$38,245	\$ 38,245.38	\$ 18.38	\$ -
1068	DESANTIS, FRANK	Building Official	\$ 97,870.24	2080	100%	6.689	No	-	\$97,870	\$ 97,870.24	\$ 47.05	\$ -
1070	HARVEY, TAMARA	Building Official Asst.	\$ 31,200.00	2080	100%	0.549	No	-	\$31,200	\$ 31,200.00	\$ 15.00	\$ -
1338	VANBLANGANI, CLARA	City Clerk	\$ 78,000.00	2080	100%	0.848	No	-	\$78,000	\$ 78,000.00	\$ 37.50	\$ -
1180	PORTAL, LINDA	Community Development Director	\$ 91,520.82	2080	100%	0.933	No	-	\$91,521	\$ 91,520.82	\$ 44.00	\$ -
1335	GAMBLE, ANDREA	Deputy City Clerk	\$ 47,244.28	2080	100%	1.582	No	-	\$47,244	\$ 47,244.28	\$ 22.71	\$ -
5182	LAFAVE, LACY	Executive Assistant to City Manager	\$ 51,918.80	2080	100%	2.045	No	-	\$51,917	\$ 51,918.80	\$ 24.98	\$ -
1129	PERCE, WALTER	Finance Director	\$ 97,944.21	2080	100%	2.341	No	-	\$97,944	\$ 97,944.21	\$ 48.80	\$ -
4237	TARKENTON, CHRISTOPH	Fiscal Coordinator	\$ 53,539.20	2080	100%	0.952	No	-	\$53,539	\$ 53,539.20	\$ 25.74	\$ -
5179	SHAW, COLIN	Grounds Maint II	\$ 38,774.40	2080	100%	3.954	No	-	\$38,774	\$ 38,774.40	\$ 17.88	\$ -
5008	MECKO, CHRISTOPHER	Grounds Maint II	\$ 38,365.70	2080	100%	0.954	No	-	\$38,368	\$ 38,365.70	\$ 18.42	\$ -
1127	PAULSON, KAREN	Human Resources	\$ 60,742.68	2080	100%	0.952	No	-	\$60,743	\$ 60,742.68	\$ 29.20	\$ -
1063	BUSH, KIMDA	Marina Asst I	\$ 5,460.00	520	25%	0.798	No	-	\$5,460	\$ 5,460.00	\$ 10.50	\$ -
9329	BOESCH, NICHOLAS	Marina Asst I	\$ 28,000.00	2080	100%	0.683	No	-	\$28,000	\$ 28,000.00	\$ 12.50	\$ -
3008	WALKER, LEROY	Marina Asst I	\$ 35,152.00	650	31%	12.601	No	-	\$35,152	\$ 35,152.00	\$ 54.09	\$ -
4945	TOFHAGEN, SLIZANNE	Park Enr Officer I	\$ 22,880.00	2080	100%	0.779	No	-	\$22,880	\$ 22,880.00	\$ 11.00	\$ -
4244	RAU, BRIAN	Parking Supervisor	\$ 47,840.00	2080	100%	0.927	No	-	\$47,840	\$ 47,840.00	\$ 23.00	\$ -
1065	KORDIS, PATRICIA	Permit Technician	\$ 50,118.77	2080	100%	5.746	No	-	\$50,117	\$ 50,118.77	\$ 24.09	\$ -
1084	PRESSER, CURT	Public Information Specialist	\$ 55,120.42	2080	100%	1.238	No	-	\$55,120	\$ 55,120.42	\$ 26.50	\$ -
9333	JORDAN, CHARLES	Public Works / Marina Director	\$ 85,000.03	2080	100%	0.453	No	-	\$85,000	\$ 85,000.03	\$ 40.87	\$ -
5186	LADANAKOS, JOHN	Rec Ldr I Bus Driver	\$ 10,816.00	520	25%	1.066	No	-	\$8,240	\$ 8,240.00	\$ 12.00	\$ -
5184	MONTGOMERY, MADISON	Rec Leader I	\$ 38,937.60	2080	100%	1.445	No	-	\$38,938	\$ 38,937.60	\$ 18.72	\$ 174.32
5143	KEPKS, CAROL	Rec Leader III	\$ 41,100.80	2080	100%	2.023	No	-	\$41,101	\$ 41,100.80	\$ 18.78	\$ -
5161	HATCH, JOHN	Rec Leader III	\$ 85,280.00	2080	100%	1.239	No	-	\$85,280	\$ 85,280.00	\$ 41.00	\$ -
7021	LEPPERT, JOHN	Sanitation Wr II	\$ 31,366.40	2080	100%	6.954	No	-	\$31,368	\$ 31,366.40	\$ 15.08	\$ -
7018	WILLIAMSON, JOHN	Sanitation Wr II	\$ 39,155.58	2080	100%	6.954	No	-	\$39,156	\$ 39,155.58	\$ 18.82	\$ -
7007	OLIVER, HENRY	Sanitation Wr II	\$ 44,285.49	2080	100%	31.974	No	-	\$44,285	\$ 44,285.49	\$ 21.29	\$ -
7008	WEISE, MARK	Sanitation Wr II	\$ 44,285.49	2080	100%	18.453	No	-	\$44,285	\$ 44,285.49	\$ 21.29	\$ -
5188	BROSAN, VICTORIA	Seasonal Rec Ldr I	\$ 5,200.00	520	25%	0.587	No	-	\$5,200	\$ 5,200.00	\$ 10.00	\$ -
5180	SPICA, MEGAN	Seasonal Rec Leader I	\$ 6,489.80	520	25%	0.502	No	-	\$6,490	\$ 6,489.80	\$ 12.48	\$ -



Move to 100% of Market (Not Including Fire)	Number of People Affected	Average Increase in Salary	Total Cost to Implement
Cost to Move to Minimum of New Range	18	\$1,095	\$17,365
Cost to Move to Midpoint in 10 Years (66K Cap)	15	\$1,533	\$23,001
Cost to Move to Midpoint in 10 Years (No Cap)	15	\$1,533	\$23,001
Cost to Move to Midpoint in 7 Years (66K Cap)	18	\$1,884	\$33,907
Cost to Move to Midpoint in 7 Years (No Cap)	18	\$2,076	\$37,368
Move to 100% of Market (Fire)			
Cost to Remain on Current Step	12	\$4,091	\$49,080
Cost to Move to Next Nearest Step	12	\$255	\$3,065

From: Sean Lilly <SLilly@madeirabeachfl.gov>
Subject: FW: Salary Grades
To: Department Heads <DepartmentHeads@madeirabeachfl.gov>
Cc: Paulson, Karen <KPaulson@madeirabeachfl.gov>
Sent: January 3, 2023 12:51 PM (UTC-05:00)
Attached: 22.23 pay grade FINAL 10.01.22.pdf

I want to clarify one thing. Again not having any impact on current employees, but Grade 4 and above have been deemed exempt.

Sean Lilly, MBA, SPHR, SHRM-SCP
Human Resources Director
City of Madeira Beach
727-391-9951 x 297



From: Sean Lilly
Sent: Thursday, October 27, 2022 11:13 AM
To: Department Heads <DepartmentHeads@madeirabeachfl.gov>
Subject: Salary Grades

Attached are the current salary grades in compliance with the budget. You will notice a couple of changes:

1. Positions have been realigned to fit on the most appropriate grade. You will notice consistency. If a current employee's position moved, it will have NO effect on them. If an employee in a moved position leaves, the replacement will be slotted into the appropriate grade.
2. We are finally able to comply with Florida law and drug test only safety sensitive positions. Positions that are green, do not need a drug screen while those in black do. However, if you hire a position highlighted in green, and suddenly they need to drive a city vehicle or operate tools, then yes, a pre-hire drug screen is necessary. It is important to let me know if you intend to include safety sensitive tasks in a position that otherwise does not require a test.

If you have any questions please reach out.

Sean

Sean Lilly, MBA, SPHR, SHRM-SCP
Human Resources Director
City of Madeira Beach
727-391-9951 x 297



Disclaimer: Under Florida law (Florida Statute 668.6076), email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to the City of Madeira Beach. Instead, contact the appropriate department/division.

GRADE	POSITION TITLE	RANGE MIN	RANGE MAX
1	Building Codes Compliance Officer I	\$31,200 yr	\$42,973 yr.
	Recreation Leader I	15.00 hr.	20.66hr
	Grounds Maintenance Worker		
	Marina Attendant		
	Parking Enforcement Officer		
	Public Works Technician		
	Seasonal Employees		
2	Administrative Assistant	\$37,440 yr.	\$60,569 yr.
	Building Codes Compliance Officer II	18.00 hr.	29.12 hr.
	Front Desk Administrative Assistant		
	Permit Clerk		
	Recreation Leader II		
	Senior Grounds Maintenance Worker		
	Senior Marina Attendant		
	Senior Parking Enforcement Officer		
	Senior Public Works Technician		
	Sanitation Worker		
CDL Senior Sanitation Worker +1.00/hr			
3	Building Codes Compliance Officer III	\$39,270 yr.	\$61,880 yr
	Parks Coordinator	18.88 hr.	29.75 hr.
	Operations Coordinator - Building		
	Payroll/Financial Coordinator		
	Program Coordinator - Community Development		
	Broadcast & IT Coordinator		
	Recreation Leader III		
	Certified Permit Technician		
	Planning Technician		
	Lead Mechanic		
Senior Administrative Assistant			
Deputy Building Official			
4	Executive Assistant to City Manager	\$47,736 yr.	\$75,192 yr.
	Executive Assistant to City Clerk	22.95 hr.	36.15 hr
	Executive Assistant to Fire Chief		
	Planner		
	GIS Technician		
	Parking Supervisor		
	Recreation Supervisor		
Marina Supervisor			
Storm Water Supervisor			
Sanitation Supervisor			
5	Accountant	\$55,286 yr.	\$82,930 yr.
	Marina Manager	26.58 hr.	39.87hr.
	Senior Planner		
6		\$64,002yr.	\$100,776 yr.
		30.77 hr.	48.45 hr.
7	Building Official	\$90,043 yr.	\$135,054 yr.
	Fire Chief	43.29 hr.	64.93 hr.
	City Clerk		
	Community Development Director		
	Assistant Financial Director		
	Public Works Director		
HR Director			
Recreation Director			

PAY GRADES FOR 22-23

GREEN IS NOT A SAFETY SENSATIVE POSITION

City of Madeira Beach
Pay Grades
2022 - 2023

Green is NOT a Safety Sensitive Position

GRADE	POSITION TITLE	RANGE MIN	RANGE MAX
1	Building Codes Compliance Officer I	\$31,200 yr	\$42,973 yr
	Recreation Leader I	\$15.00 hr	\$20.66 hr
	Grounds Maintenance Worker		
	Marina Attendant		
	Parking Enforcement Officer		
	Public Works Technician		
	Seasonal Employees		
2	Administrative Assistant	\$37,440 yr	\$60,569 yr
	Building Codes Compliance Officer II	\$18.00 hr	\$29.12 hr
	Front Desk Administration Assistant		
	Permit Clerk		
	Recreation Leader II		
	Senior Grounds Maintenance Worker		
	Senior Marina Attendant		
	Senior Parking Enforcement Officer		
	Senior Public Works Technician		
Sanitation Worker			
CDL Senior Sanitation Worker +1.00/hr			
3	Building Codes Compliance Officer III	\$39,270 yr	\$61,880 yr
	Operations Coordinator- Building	\$18.88 hr	\$29.75 hr
	Payroll/ Finance Coordinator		
	Program Coordinator- Community Development		
	Broadcast & IT Coordinator		
	Recreation Leader III		
	Certified Permit Technician		
	Planner I/ Planning Technician		
	Grounds Maintenance Supervisor		
	Records Clerk Administrative Assistant		
Lead Mechanic			
Senior Administrative Assistant			
4	Executive Assistant to the City Manager	\$47,736 yr	\$75,192 yr
	Executive Assistant to City Clerk	\$22.95 hr	\$36.15 hr
	Executive Assistant to Fire Chief		
	Planner II/III		
	Parking Supervisor		
	Recreation Supervisor		
	Long Range Planner		
Marina Supervisor			
Storm Water Supervisor			
Sanitation Supervisor			
5	Accountant	\$55,286 yr	\$82,930 yr
	Marina Manager	\$26.58 hr	\$39.87 hr
6	Assistant to the City Manager	\$64,002 yr	\$100,776 yr
	Deputy Building Official	\$30.77 hr	\$48.45 hr
7	Building Official	\$90,043 yr	\$135,054 yr
	Fire Chief	\$43.29 hr	\$64.93 hr
	City Clerk		
	Community Development Director		
	Community Development Engineer		
	Assistant Financial Director		
	Public Works Director		
HR Director			
Recreation Director			

GRADE	POSITION TITLE	RANGE MIN	RANGE MAX
1	Building Codes Compliance Officer I	\$31,200 yr	\$42,973 yr.
	Recreation Leader I	15.00 hr.	20.66hr
	Grounds Maintenance Worker		
	Marina Attendant		
	Parking Enforcement Officer		
	Public Works Technician		
	Seasonal Employees		
2	Administrative Assistant	\$37,440 yr.	\$60,569 yr.
	Building Codes Compliance Officer II	18.00 hr.	29.12 hr.
	Front Desk Administrative Assistant		
	Permit Clerk		
	Recreation Leader II		
	Senior Grounds Maintenance Worker		
	Senior Marina Attendant		
	Senior Parking Enforcement Officer		
	Senior Public Works Technician		
	Sanitation Worker		
CDL Senior Sanitation Worker +1.00/hr			
3	Building Codes Compliance Officer III	\$39,270 yr.	\$61,880 yr
	Parks Coordinator	18.88 hr.	29.75 hr.
	Operations Coordinator - Building		
	Payroll/Financial Coordinator		
	Program Coordinator - Community Development		
	Broadcast & IT Coordinator		
	Recreation Leader III		
	Certified Permit Technician		
	Planning Technician		
	Lead Mechanic		
Senior Administrative Assistant			
Deputy Building Official			
4	Executive Assistant to City Manager	\$47,736 yr.	\$75,192 yr.
	Executive Assistant to City Clerk	22.95 hr.	36.15 hr
	Executive Assistant to Fire Chief		
	Planner		
	GIS Technician		
	Parking Supervisor		
Recreation Supervisor			
Marina Supervisor			
Storm Water Supervisor			
Sanitation Supervisor			
5	Accountant	\$55,286 yr.	\$82,930 yr.
	Marina Manager	26.58 hr.	39.87hr.
	Senior Planner		
6		\$64,002yr.	\$100,776 yr.
		30.77 hr.	48.45 hr.
7	Building Official	\$90,043 yr.	\$135,054 yr.
	Fire Chief	43.29 hr.	64.93 hr.
	City Clerk		
	Community Development Director		
	Assistant Financial Director		
	Public Works Director		
HR Director			
Recreation Director			

PAY GRADES FOR 22-23

GREEN IS NOT A SAFETY SENSATIVE POSITION

GRADE	POSITION TITLE	RANGE MINIMUM	RANGE MAXIMUM
1	Building Codes Compliance Officer	\$26,000 yr.	\$37,771 yr.
	Code Enforcement Specialist	\$12.50 hr.	\$18.16 hr.
	Grounds Maintenance Worker		
	Marina Attendant		
	Parking Enforcement Officer		
	Public Works Technician		
	Recreation Leader I		
	Sanitation Worker		
	Seasonal Employees		
2	Administrative Assistant	\$30,264 yr.	\$53,456 yr.
	Building Codes Compliance Officer II	\$14.58 hr.	\$25.70 hr.
	Permit Clerk		
	Recreation Leader II		
	Senior Grounds Maintenance Worker		
	Senior Marina Attendant		
	Senior Parking Enforcement Officer		
	Senior Public Works Technician		
	Senior Sanitation Worker		
3	Building Codes Compliance Officer III	\$37,406 yr.	\$58,916 yr.
	Division Supervisor	\$17.98 hr.	\$28.33 Hr.
	Certified Permit Technician		
	Recreation Leader III		
	Senior Administrative Assistant		
4	Deputy Building Official	\$46,822 yr.	\$71,624 yr.
	Executive Assistant to City Clerk	\$21.86 hr.	\$34.43 hr.
	Executive Assistant to City Manager		
	Planner		
	GIS Technician		
	Program Coordinator - Community Development		
5	Accountant	\$52,643 yr.	\$78,965 yr.
	Payroll/Financial Coordinator	\$25.31 hr.	\$37.97 hr.
	Operations Coordinator		
	Senior Planner		
6	none currently	\$60,941 yr.	\$95,983 yr.
		\$29.30 hr.	\$46.14 hr.
7	Building Official	\$85,748 yr.	\$128,626 yr.
	City Clerk	\$41.23 hr.	\$61.84 hr.
	Community Development Director		
	Assistant Finance Director		
	Fire Chief		
	Lead Mechanic		
	Public Works Director		
	HR Director		
	Recreation Director		

CITY OF MADEIRA BEACH PAY PLAN - EFFECTIVE OCTOBER 1, 2020

Item 6A.

GRADE	POSITION TITLE	RANGE MINIMUM	RANGE MAXIMUM
1	Building Codes Compliance Officer	\$21,236 yr.	\$36,323 yr.
	Code Enforcement Specialist	10.21 hr.	17.63 hr.
	Grounds Maintenance Worker		
	Marina Attendant		
	Permit Clerk		
	Parking Enforcement Officer		
	Public Works Technician		
	Recreation Leader I		
	Sanitation Worker		
	Seasonal Employees		
2	Administrative Assistant	\$27,104 yr.	\$51,896 yr.
	Building Codes Compliance Officer II	13.03 hr.	24.95 hr.
	Building Official Assistant		
	Permit Clerk		
	Recreation Leader II		
	Senior Grounds Maintenance Worker		
	Senior Marina Attendant		
	Senior Parking Enforcement Officer		
	Senior Public Works Technician		
	Senior Sanitation Worker		
3	Building Codes Compliance Officer III	\$36,323 yr.	\$57,209 yr.
	Division Supervisor	17.46 hr.	27.50 hr.
	Permit Technician		
	Recreation Leader III		
	Senior Administrative Assistant		
4	Deputy Building Official	\$45,458 yr.	\$69,538 yr.
	Deputy City Clerk	21.23 hr.	33.43 hr.
	Executive Assistant to City Manager		
	Planner/GIS Technician		
	Program Coordinator - Community Development		
5	Fiscal Coordinator	\$51,110 yr.	\$76,665 yr.
	Payroll/Financial Coordinator	24.57 hr.	36.86 hr.
	Public Information Officer		
	Planning & Zoning Coordinator		
6	Accounting Manager	\$59,166 yr.	\$93,187 yr.
	Marina Manager	28.45 hr.	44.80 hr.
7	Building Official	\$83,250 yr.	\$124,880 yr.
	City Clerk	40.03 hr.	60.04 hr.
	Community Development Director		
	Finance Director		
	Fire Chief		
	Lead Mechanic		
Public Works Director			

CITY OF MADEIRA BEACH PAY PLAN - EFFECTIVE OCTOBER 1, 2020

Item 6A.

Recreation Director

CITY OF MADEIRA BEACH PAY PLAN - EFFECTIVE OCTOBER 1, 2019

Item 6A.

GRADE	POSITION TITLE	RANGE MINIMUM	RANGE MAXIMUM
1	Building Codes Compliance Officer	\$21,236 yr.	\$36,323 yr.
	Code Enforcement Specialist	\$10.210 hr.	17.463 hr.
2	Grounds Maintenance Worker		
	Marina Attendant		
	Permit Clerk		
	Parking Enforcement Officer		
	Public Works Technician		
	Recreation Leader I		
	Sanitation Worker		
	Seasonal Employees		
	Administrative Assistant	\$27,104 yr.	\$51,896 yr.
	Building Codes Compliance Officer II	\$13.031 hr.	\$24.947 hr.
3	Building Official Assistant		
	Permit Clerk		
	Recreation Leader II		
	Senior Grounds Maintenance Worker		
	Senior Marina Attendant		
4	Senior Parking Enforcement Officer		
	Senior Public Works Technician		
	Senior Sanitation Worker		
	Building Codes Compliance Officer III	\$36,323 yr.	\$57,209 yr.
5	Division Supervisor	\$17.463 hr.	\$27.504 hr.
	Permit Technician		
	Recreation Leader III		
6	Senior Administrative Assistant		
	Deputy City Clerk	\$45,458 yr.	\$69,538 yr.
	Executive Assistant to City Manager	\$21.226 hr.	\$33.431 hr.
7	Fiscal Analyst		
	Fiscal Coordinator	\$51,110 yr.	\$76,665 yr.
	HR/Financial Coordinator	\$24.572 hr.	\$36.858 hr.
	Planning & Zoning Coordinator		
8	Public Information Officer		
	Accounting Manager	\$59,166 yr.	\$93,187 yr.
	Marina Manager	\$28.445 hr.	\$44.801 hr.
9			
	Building Official	\$83,250 yr.	\$124,880 yr.
	City Clerk	\$40.026 hr.	\$60.038 hr.
	Community Development Director		
	Finance Director		
	Fire Chief		
10	Lead Mechanic		
	Public Works Director		
	Recreation Director		

City of Madeira Beach		2022-2023		Treasure Island		Seminole		St Petersburg		
GRADE	POSITION TITLE	RANGE MIN	RANGE		RANGE MIN	RANGE MAX	RANGE MIN	RANGE MAX	RANGE MIN	RANGE MAX
1	Building Codes Compliance Officer I	\$31,200	\$42,973	13	\$42,174	\$62,140	\$37,269	\$55,904	\$34,798	\$52,042
	Recreation Leader I	\$31,200	\$42,973	7	\$31,200	\$47,135	\$27,811	\$41,716	\$34,798	\$52,042
	Grounds Maintenance Worker	\$31,200	\$42,973	7	\$31,200	\$47,135	\$29,201	\$43,802	\$32,136	\$42,307
	Marina Attendant	\$31,200	\$42,973	2	\$22,880	\$45,391	\$33,804	\$50,706	\$35,693	\$54,558
	Parking Enforcement Officer	\$31,200	\$42,973	8	\$32,350	\$48,745	\$37,269	\$55,904	\$34,798	\$52,042
	Public Works Technician	\$31,200	\$42,973	6	\$22,880	\$45,391	\$33,804	\$50,706	\$44,699	\$63,357
	Seasonal Employees	\$31,200	\$42,973							
2	Administrative Assistant	\$37,440	\$60,569	8	\$32,350	\$48,745	\$35,494	\$44,368	\$48,693	\$77,106
	Building Codes Compliance Officer II	\$37,440	\$60,569	15	\$45,546	\$70,172	\$37,269	\$46,586	\$37,648	\$57,179
	Front Desk Administration Assistant	\$37,440	\$60,569	8	\$32,350	\$48,745	\$27,811	\$41,716	\$35,693	\$54,558
	Permit Clerk	\$37,440	\$60,569	10	\$36,432	\$53,777	\$32,194	\$55,904	\$44,554	\$67,787
	Recreation Leader II	\$37,440	\$60,569	8	\$32,350	\$48,745	\$33,804	\$50,706	\$34,798	\$52,042
	Senior Grounds Maintenance Worker	\$37,440	\$60,569	11	\$38,153	\$56,380	\$35,494	\$53,242	\$33,093	\$44,512
	Senior Marina Attendant	\$37,440	\$60,569	8	\$32,350	\$48,745	\$35,494	\$53,242	\$35,693	\$54,558
	Senior Parking Enforcement Officer	\$37,440	\$60,569	8	\$32,350	\$48,745	\$37,269	\$55,904	\$34,798	\$52,042
	Senior Public Works Technician	\$37,440	\$60,569	10	\$36,432	\$53,777	\$33,804	\$50,706	\$44,699	\$63,357
	Sanitation Worker	\$37,440	\$60,569	11	\$38,153	\$56,380			\$44,699	\$63,357
	Broadcast Technician	\$37,440	\$60,569	9	\$34,027	\$51,173			\$40,477	\$61,714
CDL Senior Sanitation Worker +1.00/hr	\$37,440	\$60,569	12	\$40,117	\$59,183			\$48,838	\$68,120	
3	Building Codes Compliance Officer III	\$39,270	\$61,880	15	\$45,546	\$70,172	\$37,269	\$55,904	\$39,458	\$60,133
	Parks Coordinator	\$39,270	\$61,880	A	\$49,595	\$74,390	\$45,395	\$68,092	\$55,682	\$88,774
	Operations Coordinator- Building	\$39,270	\$61,880	A	\$49,595	\$74,390	\$43,144	\$64,715		
	Payroll/ Finance Coordinator	\$39,270	\$61,880	A	\$49,595	\$74,390	\$47,665	\$71,497	\$52,354	\$82,410
	Program Coordinator- Community	\$39,270	\$61,880						\$48,693	\$77,106
	Broadcast & IT Coordinator	\$39,270	\$61,880				\$60,833	\$91,250	\$59,405	\$95,763
	Recreation Leader III	\$39,270	\$61,880	6	\$22,880	\$45,391	\$45,395	\$68,092	\$39,458	\$60,133
	Certified Permit Technician	\$39,270	\$61,880	10	\$36,432	\$53,777	\$37,269	\$55,904	\$42,515	\$64,896
	Planner I/ Planning Technician	\$39,270	\$61,880	C	\$56,298	\$84,446			\$52,354	\$82,410
	Grounds Maintenance Supervisor	\$39,270	\$61,880	14	\$43,405	\$65,251	\$45,301	\$67,951	\$52,354	\$82,410
	Lead Mechanic	\$39,270	\$61,880	15	\$45,546	\$70,172	\$37,269	\$55,904	\$54,995	\$82,160
	Senior Administrative Assistant	\$39,270	\$61,880	8	\$32,350	\$48,745	\$37,269	\$55,904	\$48,693	\$77,106
	Executive Assistant to the City Manager	Executive Assistant to the City Manager	\$47,736	\$75,192	A	\$49,595	\$74,390	\$39,214	\$58,821	\$44,554
Executive Assistant to City Clerk		\$47,736	\$75,192	A	\$49,595	\$74,390	\$39,214	\$58,821	\$44,554	\$67,787

4	Executive Assistant to Fire Chief	\$47,736	\$75,192	A	\$49,595	\$74,390	\$39,214	\$58,821	\$44,554	\$67,787
	Planner II/III	\$47,736	\$75,192				\$55,063	\$82,595	\$59,405	\$113,506
	GIS Technican	\$47,736	\$75,192	B	\$52,926	\$79,389			\$47,944	\$73,528
	Parking Supervisor	\$47,736	\$75,192	9	\$34,027	\$51,173	\$45,301	\$67,951	\$49,192	\$78,166
	Recreation Supervisor	\$47,736	\$75,192	A	\$49,595	\$74,390	\$45,395	\$68,092	\$48,693	\$77,106
	Long Range Planner	\$47,736	\$75,192				\$55,063	\$82,595	\$52,354	\$82,410
	Marina Supervisor	\$47,736	\$75,192	A	\$49,595	\$74,390	\$45,300	\$67,951	\$49,192	\$78,166
	Storm Water Supervisor	\$47,736	\$75,192	C	\$56,298	\$84,446	\$45,300	\$67,951	\$55,682	\$88,774
	Sanitation Supervisor	\$47,736	\$75,192	14	\$43,405	\$65,251			\$52,354	\$82,410
5	Accountant	\$55,286	\$82,930	A	\$49,595	\$74,390	\$57,933	\$86,905	\$49,192	\$78,166
	Mrina Manager	\$55,286	\$82,930	A	\$49,595	\$74,390	\$52,550	\$78,825	\$59,405	\$95,763
	Senior Planner	\$55,286	\$82,930	A	\$49,595	\$74,390	\$55,063	\$82,595	\$59,405	\$95,763
6	Assistant to the City Manager	\$64,002	\$100,776	A	\$49,595	\$74,390	\$94,372	\$141,559	\$65,874	\$105,539
	Deputy Building Official	\$64,002	\$100,776	A	\$49,595	\$74,390	\$60,833	\$91,250	\$76,211	\$122,138
7	Building Official	\$90,043	\$135,054	A	\$49,595	\$74,390				
	Fire Chief	\$90,043	\$135,054	L	\$97,140	\$145,711	\$85,599	\$128,398	\$130,415	\$134,327
	City Clerk	\$90,043	\$135,054	M	Board Set	Board Set	\$63,875	\$95,813		
	Community Development Director	\$90,043	\$135,054	K	\$91,583	\$137,373	\$81,523	\$122,284		
	Community Development Engineer	\$90,043	\$135,054							
	Assistant Financial Director	\$90,043	\$135,054	I	\$80,000	\$119,999				
	Public Works Director	\$90,043	\$135,054	L	\$97,140	\$145,711	\$81,523	\$122,284		
	HR Director	\$90,043	\$135,054	J	\$86,399	\$129,597	\$70,422	\$105,633		
	Recreaton Director	\$90,043	\$135,054	J	\$86,399	\$129,597	\$77,640	\$116,461		

**Seminole Classification and Compensation Plan
for Non-Exempt Employees**

GRADE	POSITION TITLE	POSITION NUMBER	MINIMUM	MID-POINT	MAXIMUM	
1	Unused		\$20,800.00	\$26,000.00	\$31,200.00	Annual
			\$800.00	\$1,000.00	\$1,200.00	Biweekly
			\$10.0000	\$12.5000	\$15.0000	Hourly
2	Unused		\$21,840.00	\$27,300.00	\$32,760.00	Annual
			\$840.00	\$1,050.00	\$1,260.00	Biweekly
			\$10.5000	\$13.1250	\$15.7500	Hourly
3	Library Aide	509	\$22,880.00	\$28,600.00	\$34,320.00	Annual
			\$880.00	\$1,100.00	\$1,320.00	Biweekly
			\$11.0000	\$13.7500	\$16.5000	Hourly
4	Training Technician	722	\$24,024.00	\$30,030.00	\$36,036.00	Annual
			\$924.00	\$1,155.00	\$1,386.00	Biweekly
			\$11.5500	\$14.4375	\$17.3250	Hourly
5	Unused		\$25,225.20	\$31,531.50	\$37,837.80	Annual
			\$970.20	\$1,212.75	\$1,455.30	Biweekly
			\$12.1275	\$15.1594	\$18.1913	Hourly
6	Library Assistant I	504	\$26,486.46	\$33,108.08	\$39,729.69	Annual
			\$1,018.71	\$1,273.39	\$1,528.07	Biweekly
			\$12.7339	\$15.9173	\$19.1008	Hourly
7	Library Assistant II	505	\$27,810.78	\$34,763.48	\$41,716.17	Annual
	Information Clerk I	114	\$1,069.65	\$1,337.06	\$1,604.47	Biweekly
	Custodian	407	\$13.3706	\$16.7132	\$20.0559	Hourly
	Recreation Leader I	304				

Seminole Classification and Compensation Plan for Non-Exempt Employees

GRADE	POSITION TITLE	POSITION NUMBER	MINIMUM	MID-POINT	MAXIMUM	
8	Maintenance I	406	\$29,201.32	\$36,501.65	\$43,801.98	Annual
	Building Maintenance Tech. I	412	\$1,123.13	\$1,403.91	\$1,684.69	Biweekly
	Administrative Assistant I	107	\$14.0391	\$17.5489	\$21.0586	Hourly
9	Librarian I	507	\$30,661.39	\$38,326.74	\$45,992.08	Annual
			\$1,179.28	\$1,474.11	\$1,768.93	Biweekly
			\$14.7411	\$18.4263	\$22.1116	Hourly
10	Maintenance II	405	\$32,194.46	\$40,243.07	\$48,291.69	Annual
	Fleet Maintenance Counter Clerk	724	\$1,238.25	\$1,547.81	\$1,857.37	Biweekly
	Permit/Licensing Technician	206	\$15.4781	\$19.3476	\$23.2172	Hourly
	Library Assistant III	506				
	EMS Technician	723				
	Accounts Payable Technician	106				
11	Parks Technician	420	\$33,804.18	\$42,255.23	\$50,706.27	Annual
	Recreation Leader II	303	\$1,300.16	\$1,625.20	\$1,950.24	Biweekly
	Permit/Licensing Technician II	207	\$16.2520	\$20.3150	\$24.3780	Hourly
12	Administrative Assistant II	108	\$35,494.39	\$44,367.99	\$53,241.58	Annual
	Building Maintenance Tech II	417	\$1,365.17	\$1,706.46	\$2,047.75	Biweekly
			\$17.0646	\$21.3308	\$25.5969	Hourly
13	Code Enforcement Officer	204	\$37,269.11	\$46,586.39	\$55,903.66	Annual
	Mechanic	716	\$1,433.43	\$1,791.78	\$2,150.14	Biweekly
	Administrative Clerk	419	\$17.9178	\$22.3973	\$26.8768	Hourly
	Senior Permit/Licensing Technician	209				

Seminole Classification and Compensation Plan for Non-Exempt Employees

GRADE	POSITION TITLE	POSITION NUMBER	MINIMUM	MID-POINT	MAXIMUM	
14	Streets & Stormwater Technician	418	\$39,132.56	\$48,915.71	\$58,698.85	Annual
	Payroll Specialist I	105	\$1,505.10	\$1,881.37	\$2,257.65	Biweekly
	Human Resources Analyst	104	\$18.8137	\$23.5172	\$28.2206	Hourly
15	Communications Specialist	119	\$41,089.19	\$51,361.49	\$61,633.79	Annual
			\$1,580.35	\$1,975.44	\$2,370.53	Biweekly
			\$19.7544	\$24.6930	\$29.6316	Hourly
16	Events & Facilities Coordinator	309	\$43,143.65	\$53,929.57	\$64,715.48	Annual
	Librarian II	508	\$1,659.37	\$2,074.21	\$2,489.06	Biweekly
			\$20.7421	\$25.9277	\$31.1132	Hourly
17	Fire Inspector (Civilian)	725	\$45,300.83	\$56,626.04	\$67,951.25	Annual
	Parks & Grounds Maintenance Supervisor	409	\$1,742.34	\$2,177.92	\$2,613.51	Biweekly
	Streets & Stormwater Maintenance Supervisor	410	\$21.7792	\$27.2241	\$32.6689	Hourly
	Facilities Maintenance Supervisor	411				
18	City Inspector	203	\$47,565.88	\$59,457.35	\$71,348.82	Annual
	Planner I	209	\$1,829.46	\$2,286.82	\$2,744.19	Biweekly
			\$22.8682	\$28.5853	\$34.3023	Hourly
19	Multi Certification City Inspector	208	\$49,944.17	\$62,430.21	\$74,916.26	Annual
			\$1,920.93	\$2,401.16	\$2,881.39	Biweekly
			\$24.0116	\$30.0145	\$36.0174	Hourly
20	Unused		\$52,441.38	\$65,551.72	\$78,662.07	Annual
			\$2,016.98	\$2,521.22	\$3,025.46	Biweekly

Seminole Classification and Compensation Plan for Non-Exempt Employees

GRADE	POSITION TITLE	POSITION NUMBER	MINIMUM	MID-POINT	MAXIMUM	
			\$25.2122	\$31.5153	\$37.8183	Hourly
21	Planner II	210	\$55,063.45	\$68,829.31	\$82,595.17	Annual
			\$2,117.82	\$2,647.28	\$3,176.74	Biweekly
			\$26.4728	\$33.0910	\$39.7092	Hourly
22	Unused		\$57,816.62	\$72,270.78	\$86,724.93	Annual
			\$2,223.72	\$2,779.65	\$3,335.57	Biweekly
			\$27.7965	\$34.7456	\$41.6947	Hourly
23	Unused		\$60,707.45	\$75,884.31	\$91,061.18	Annual
			\$2,334.90	\$2,918.63	\$3,502.35	Biweekly
			\$29.1863	\$36.4828	\$43.7794	Hourly

Seminole Classification and Compensation Plan for Exempt Employees

GRADE	POSITION TITLE	POSITION NUMBER	MINIMUM	MID-POINT	MAXIMUM	
S1	Unused		\$35,568.00	\$44,460.00	\$53,352.00	Annual
			\$1,368.00	\$1,710.00	\$2,052.00	Biweekly
S2	Unused		\$37,346.40	\$46,683.00	\$56,019.60	Annual
			\$1,436.40	\$1,795.50	\$2,154.60	Biweekly
S3	Secretary to the City Manager	116	\$39,213.72	\$49,017.15	\$58,820.58	Annual
			\$1,508.22	\$1,885.28	\$2,262.33	Biweekly
S4	Unused		\$41,174.41	\$51,468.01	\$61,761.61	Annual
			\$1,583.63	\$1,979.54	\$2,375.45	Biweekly
S5	Unused		\$43,233.13	\$54,041.41	\$64,849.69	Annual
			\$1,662.81	\$2,078.52	\$2,494.22	Biweekly
S6	Recreation Program Coordinator	308	\$45,394.78	\$56,743.48	\$68,092.17	Annual
	Circulation Supervisor	503	\$1,745.95	\$2,182.44	\$2,618.93	Biweekly
	Payroll Specialist I	105				
S7	Librarian III	510	\$47,664.52	\$59,580.65	\$71,496.78	Annual
	Payroll Specialist II	116	\$1,833.25	\$2,291.56	\$2,749.88	Biweekly
S8	Unused		\$50,047.75	\$62,559.68	\$75,071.62	Annual
			\$1,924.91	\$2,406.14	\$2,887.37	Biweekly
S9	Fleet Maintenance Manager	715	\$52,550.14	\$65,687.67	\$78,825.20	Annual
			\$2,021.16	\$2,526.45	\$3,031.74	Biweekly

Seminole Classification and Compensation Plan for Exempt Employees

GRADE	POSITION TITLE	POSITION NUMBER	MINIMUM	MID-POINT	MAXIMUM	
S10	Unused		\$55,177.64	\$68,972.05	\$82,766.46	Annual
			\$2,122.22	\$2,652.77	\$3,183.33	Biweekly
S11	Senior Accountant	110	\$57,936.52	\$72,420.66	\$86,904.79	Annual
			\$2,228.33	\$2,785.41	\$3,342.49	Biweekly
S12	Deputy Building Official	205	\$60,833.35	\$76,041.69	\$91,250.03	Annual
	IT Specialist	111	\$2,339.74	\$2,924.68	\$3,509.62	Biweekly
	Fire Marshal	703				
S13	City Clerk	103	\$63,875.02	\$79,843.77	\$95,812.53	Annual
			\$2,456.73	\$3,070.91	\$3,685.10	Biweekly
S14	Unused		\$67,068.77	\$83,835.96	\$100,603.15	Annual
			\$2,579.57	\$3,224.46	\$3,869.35	Biweekly
S15	IT/IS Manager	112	\$70,422.21	\$88,027.76	\$105,633.31	Annual
	Human Resources Director	117	\$2,708.55	\$3,385.68	\$4,062.82	Biweekly
	District Chief	704				
S16	Library Director	501	\$73,943.32	\$92,429.15	\$110,914.98	Annual
	Code Admin/Bldg. Official	202	\$2,843.97	\$3,554.97	\$4,265.96	Biweekly
S17	Recreation Director	301	\$77,640.48	\$97,050.60	\$116,460.73	Annual
	Assistant Chief Operations/Training	707	\$2,986.17	\$3,732.72	\$4,479.26	Biweekly
	Assistant Chief Admin/EMS Coordinator	702				

Seminole Classification and Compensation Plan for Exempt Employees

GRADE	POSITION TITLE	POSITION NUMBER	MINIMUM	MID-POINT	MAXIMUM	
S18	Director of Public Works	415	\$81,522.51	\$101,903.13	\$122,283.76	Annual
	Director of Community Development	414	\$3,135.48	\$3,919.35	\$4,703.22	Biweekly
S19	Finance Director	101	\$85,598.63	\$106,998.29	\$128,397.95	Annual
	Fire Chief	701	\$3,292.26	\$4,115.32	\$4,938.38	Biweekly
S20	Director of Administration	102	\$89,878.56	\$112,348.21	\$134,817.85	Annual
			\$3,456.87	\$4,321.08	\$5,185.30	Biweekly
S21	Assistant City Manager	118	\$94,372.49	\$117,965.62	\$141,558.74	Annual
			\$3,629.71	\$4,537.14	\$5,444.57	Biweekly
S22	Unused		\$99,091.12	\$123,863.90	\$148,636.68	Annual
			\$3,811.20	\$4,764.00	\$5,716.80	Biweekly
S23	Unused		\$104,045.67	\$130,057.09	\$156,068.51	Annual
			\$4,001.76	\$5,002.20	\$6,002.63	Biweekly

CITY OF ST. PETERSBURG
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JOB NAME Job Classification Title	ORACLE	ORACLE				
	Union Code	Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
ACCOUNT CLERK II	WCU	422	\$ 17.16	\$ 26.23	\$ 35,693	\$ 54,558
ACCOUNT REPRESENTATIVE	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
ACCOUNTANT I	PRO	PB2			\$ 49,192	\$ 78,166
ACCOUNTANT II	PRO	PB4			\$ 55,682	\$ 88,774
ACCOUNTANT III	PRO	PB6			\$ 65,874	\$ 105,539
ACCOUNTING TECHNICIAN	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
ACCREDITATION AND INSPECTIONS SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
ACCREDITATION CLERK	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
ACQUISITION SPECIALIST	WCU	435	\$ 23.62	\$ 36.18	\$ 49,130	\$ 75,254
ACTIVENET COORDINATOR	PRN	PB5			\$ 59,405	\$ 95,763
ADA AND DIVERSITY COORDINATOR	PRN	PB7			\$ 70,554	\$ 113,506
ADMINISTRATIVE ASSISTANT	PRO	PB1			\$ 48,693	\$ 77,106
ADMINISTRATIVE COORDINATOR	PRO	PB6			\$ 65,874	\$ 105,539
ADMINISTRATIVE SECRETARY	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
AIDE II	EVN	F02	\$ 15.45	\$ 18.54	\$ 16,068	\$ 19,282
APPLICATION SUPPORT SPECIALIST I	PRO	PB2			\$ 49,192	\$ 78,166
APPLICATION SUPPORT SPECIALIST II	PRO	PB4			\$ 55,682	\$ 88,774
ARMORER	WCU	432	\$ 21.99	\$ 33.62	\$ 45,739	\$ 69,930
ARTS CULTURE AND TOURISM COORDINATOR	PRO	PB4			\$ 55,682	\$ 88,774
ASSET COORDINATOR	PRN1	PB6			\$ 65,874	\$ 105,539
ASSET SUPPORT ANALYST	PRO	PB2			\$ 49,192	\$ 78,166
AUDITOR	PRO	PB6			\$ 65,874	\$ 105,539
AUTOMOTIVE PARTS CLERK	BCU	205	\$ 18.45	\$ 26.67	\$ 38,376	\$ 55,474
AUTOMOTIVE PARTS SUPERVISOR	NON	PB4			\$ 55,682	\$ 88,774
AUTOMOTIVE PARTS TECHNICIAN	BCU	214	\$ 22.80	\$ 31.82	\$ 47,424	\$ 66,186
BACKGROUND INVESTIGATOR	PRO	PB4			\$ 55,682	\$ 88,774
BENEFITS SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
BEVERAGE CART ATTENDANT	EVN	F00	\$ 11.98			
BICYCLE PEDESTRIAN COORDINATOR	PRO	PB7			\$ 70,554	\$ 113,506
BILLING AND COLLECTIONS ADMINISTRATIVE SUPPORT COORDINATOR	PRN1	PB6			\$ 65,874	\$ 105,539
BUDGET MANAGEMENT ANALYST I	PRN	PB3			\$ 52,354	\$ 82,410
BUDGET MANAGEMENT ANALYST II	PRN	PB5			\$ 59,405	\$ 95,763
BUDGET MANAGEMENT ANALYST III	PRN	PB7			\$ 70,554	\$ 113,506
BUILDING DEMOLITION COORDINATOR	WCU	437	\$ 24.83	\$ 38.05	\$ 51,646	\$ 79,144
BUILDING INSPECTOR	BCU	360	\$ 30.86	\$ 41.10	\$ 64,189	\$ 85,488
BUILDING MAINTENANCE COORDINATOR	PRN	PB7			\$ 70,554	\$ 113,506
BUILDING MAINTENANCE FOREPERSON	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
BUILDING MAINTENANCE SUPERVISOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
BUSINESS SYSTEM ANALYST	PRO	PB8			\$ 76,211	\$ 122,138
CADD GIS SUPERVISOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
CADD TECHNICIAN I	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
CADD TECHNICIAN II	WCU	429	\$ 20.44	\$ 31.20	\$ 42,515	\$ 64,896
CADD TECHNICIAN III	WCU	434	\$ 23.05	\$ 35.35	\$ 47,944	\$ 73,528
CAPITAL IMPROVEMENTS ASSISTANT	PRO	PB2			\$ 49,192	\$ 78,166
CAPITAL IMPROVEMENTS CONSTRUCTION COORDINATOR	PRO	PB8			\$ 76,211	\$ 122,138

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JOB NAME Job Classification Title	ORACLE	ORACLE				
	Union Code	Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
CAPITAL IMPROVEMENTS FINANCIAL COORDINATOR	PRO	PB6			\$ 65,874	\$ 105,539
CAPITAL IMPROVEMENTS SUPPORT SERVICES COORDINATOR	PRN	PB4			\$ 55,682	\$ 88,774
CAPITAL PROJECTS COORDINATOR	PRO	PB6			\$ 65,874	\$ 105,539
CASH RECEIPT TECHNICIAN	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
CASHIER CLERK I	WCU	412	\$ 15.45	\$ 20.56	\$ 32,136	\$ 42,765
CASHIER CLERK II	WCU	418	\$ 16.40	\$ 23.88	\$ 34,112	\$ 49,670
CASHIER CLERK III	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
CENTRAL ACCOUNTS PAYABLE SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
CENTRAL CASHIER SUPERVISOR	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
CENTRAL FINANCE SUPERVISOR	PRN	PB8			\$ 76,211	\$ 122,138
CENTRAL RECORDS MAILROOM SUPERVISOR	PRN	PB4			\$ 55,682	\$ 88,774
CHEMIST I	WCU	436	\$ 24.21	\$ 37.08	\$ 50,357	\$ 77,126
CHEMIST II	PRO	PB4			\$ 55,682	\$ 88,774
CHEMIST III	PRO	PB5			\$ 59,405	\$ 95,763
CITY CLERK ASSISTANT	WCU	431	\$ 21.42	\$ 32.59	\$ 44,554	\$ 67,787
CITY COUNCIL ADMINISTRATIVE SECRETARY	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
CIVIL ENGINEER I	PRO	PB5			\$ 59,405	\$ 95,763
CIVIL ENGINEER II	PRO	PB7			\$ 70,554	\$ 113,506
CIVIL ENGINEER III	PRO	PB8			\$ 76,211	\$ 122,138
CIVIL PERMIT EXAMINER	WCU	443	\$ 28.84	\$ 44.30	\$ 59,987	\$ 92,144
CLAIMS ASSISTANT	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
CLAIMS SECRETARY	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
CLAIMS SPECIALIST	WCU	438	\$ 25.43	\$ 39.10	\$ 52,894	\$ 81,328
CLAIMS SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
CODES ADMINISTRATIVE SUPERVISOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
CODES AND PERMIT LEAD TECHNICIAN	WCU	429	\$ 20.44	\$ 31.20	\$ 42,515	\$ 64,896
CODES AND PERMIT TECHNICIAN I	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
CODES AND PERMIT TECHNICIAN II	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
CODES ENFORCEMENT SPECIALIST	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
CODES INSPECTION SUPERVISOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
CODES INVESTIGATOR	BCU	301	\$ 24.49	\$ 34.45	\$ 50,939	\$ 71,656
COLISEUM FOREPERSON	NON	PB1	\$ 23.41	\$ 37.07	\$ 48,693	\$ 77,106
COLISEUM SUPERVISOR	PRN	PB3			\$ 52,354	\$ 82,410
COLLECTION ASSISTANT	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
COLLECTION OFFICER	PRO/PRN	PB6			\$ 65,874	\$ 105,539
COMMUNICATIONS SERVICE COORDINATOR	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
COMMUNICATIONS TECHNICIAN II	BCU	301	\$ 24.49	\$ 34.45	\$ 50,939	\$ 71,656
COMMUNITY ENGAGEMENT COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
COMMUNITY SERVICE CENTER SUPERVISOR	PRN	PB3			\$ 52,354	\$ 82,410
COMMUNITY SERVICE REPRESENTATIVE	PRO	PB2			\$ 49,192	\$ 78,166
COMPUTER GRAPHICS SPECIALIST	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
COMPUTER OPERATIONS SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
COMPUTER OPERATOR I	WCU	425	\$ 18.49	\$ 28.21	\$ 38,459	\$ 58,677
COMPUTER OPERATOR II	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
COMPUTER PROGRAMMER ANALYST I	PRO	PB3			\$ 52,354	\$ 82,410
COMPUTER PROGRAMMER ANALYST II	PRO	PB5			\$ 59,405	\$ 95,763

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JOB NAME Job Classification Title	ORACLE Union Code	ORACLE Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
COMPUTER PROGRAMMER ANALYST III	PRO	PB7			\$ 70,554	\$ 113,506
COMPUTER SYSTEMS COORDINATOR	PRN	PB7			\$ 70,554	\$ 113,506
CONCESSIONS AIDE II	WCU	411	\$ 15.45	\$ 19.99	\$ 32,136	\$ 41,579
CONCESSIONS AIDE III	WCU	412	\$ 15.45	\$ 20.56	\$ 32,136	\$ 42,765
CONCESSIONS SUPERVISOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
CONSOLIDATED WAREHOUSE SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
CONSTRUCTION INSPECTION SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
CONSTRUCTION INSPECTION TECHNICIAN	WCU	428	\$ 19.96	\$ 30.47	\$ 41,517	\$ 63,378
CONSTRUCTION INSPECTOR I	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
CONSTRUCTION INSPECTOR II	BCU	303	\$ 24.92	\$ 35.70	\$ 51,834	\$ 74,256
CONSTRUCTION INSPECTOR III	BCU	305	\$ 26.44	\$ 39.50	\$ 54,995	\$ 82,160
CONSTRUCTION MAINTENANCE LEADWORKER	BCU	207	\$ 19.35	\$ 27.60	\$ 40,248	\$ 57,408
CONSTRUCTION PERMITTING SUPERVISOR	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
CONSTRUCTION SITE INSPECTOR	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
CONTRACTS COMPLIANCE COORDINATOR	PRO	PB3			\$ 52,354	\$ 82,410
CUSTODIAL FOREPERSON	NON	423	\$ 18.49	\$ 28.34	\$ 38,459	\$ 58,947
CUSTODIAN II	BCU	107	\$ 15.45	\$ 20.55	\$ 32,136	\$ 42,744
CUSTOMER RELATIONS LIAISON	PRO	PB4			\$ 55,682	\$ 88,774
CUSTOMER RELATIONS OFFICER	PRO	PB4			\$ 55,682	\$ 88,774
CUSTOMER SERVICE OFFICER	PRO/PRN	PB6			\$ 65,874	\$ 105,539
CUSTOMER SERVICE REPRESENTATIVE	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
CUSTOMER SERVICE SUPERVISOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
DATABASE ADMINISTRATOR	PRO	PB10			\$ 83,408	\$ 133,203
DEPUTY BUILDING OFFICIAL	NON	PB8	\$ 36.64	\$ 58.72	\$ 76,211	\$ 122,138
DEPUTY CITY CLERK	PRN	PB5			\$ 59,405	\$ 95,763
DEPUTY ZONING OFFICIAL	PRN/PRO1	PB8			\$ 76,211	\$ 122,138
DESIGNER I	WCU	432	\$ 21.99	\$ 33.62	\$ 45,739	\$ 69,930
DESIGNER II	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
DIGITAL AND MEDIA SPECIALIST	PRO	PB3			\$ 52,354	\$ 82,410
ECONOMIC DEVELOPMENT ANALYST	PRO	PB7			\$ 70,554	\$ 113,506
ECONOMIC DEVELOPMENT COORDINATOR	PRO	PB7			\$ 70,554	\$ 113,506
ECONOMIC DEVELOPMENT OFFICER	PRO	PB8			\$ 76,211	\$ 122,138
ECONOMIC DEVELOPMENT SPECIALIST	PRO	PB5			\$ 59,405	\$ 95,763
EDUCATION AND COMMUNITY OUTREACH COORDINATOR	PRO	PB1			\$ 48,693	\$ 77,106
EDUCATION SPECIALIST	PRN	PB1			\$ 48,693	\$ 77,106
ELECTRICAL FOREPERSON	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
ELECTRICAL INSPECTOR	BCU	360	\$ 30.86	\$ 41.10	\$ 64,189	\$ 85,488
ELECTRICIAN I	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
ELECTRICIAN II	BCU	301	\$ 24.49	\$ 34.45	\$ 50,939	\$ 71,656
EMERGENCY COMMUNICATIONS SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
EMERGENCY COMPLAINT WRITER	WCU	428	\$ 19.96	\$ 30.47	\$ 41,517	\$ 63,378
EMERGENCY MANAGEMENT SPECIALIST	PRO	PB4			\$ 55,682	\$ 88,774
EMPLOYEE ASSISTANCE COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
ENGINEERING AIDE II	BCU	204	\$ 17.91	\$ 26.03	\$ 37,253	\$ 54,142
ENGINEERING CLERK	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179

CITY OF ST. PETERSBURG
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JOB NAME Job Classification Title	ORACLE Union Code	ORACLE Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
ENGINEERING LABORATORY SUPERVISOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
ENGINEERING LABORATORY TECHNICIAN	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
ENGINEERING SURVEY CADD TECHNICIAN	WCU	432	\$ 21.99	\$ 33.62	\$ 45,739	\$ 69,930
ENVIRONMENTAL ANALYST	PRO	PB3			\$ 52,354	\$ 82,410
ENVIRONMENTAL LABORATORY SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
ENVIRONMENTAL SPECIALIST	WCU	435	\$ 23.62	\$ 36.18	\$ 49,130	\$ 75,254
ENTERPRISE FACILITIES OPERATIONS COORDINATOR	NON	PB6	\$ 31.67	\$ 50.74	\$ 65,874	\$ 105,539
EQUIPMENT CHIEF MECHANIC	BCU	305	\$ 26.44	\$ 39.50	\$ 54,995	\$ 82,160
EQUIPMENT MAINTENANCE COORDINATOR	PRN	PB4			\$ 55,682	\$ 88,774
EQUIPMENT MAINTENANCE SUPERVISOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
EQUIPMENT MECHANIC I	BCU	212	\$ 21.49	\$ 30.46	\$ 44,699	\$ 63,357
EQUIPMENT MECHANIC II	BCU	217	\$ 24.25	\$ 34.07	\$ 50,440	\$ 70,866
EQUIPMENT MECHANIC III	BCN1	304	\$ 25.66	\$ 37.48	\$ 53,373	\$ 77,958
EQUIPMENT OPERATOR I	BCU	111	\$ 16.07	\$ 21.85	\$ 33,426	\$ 45,448
EQUIPMENT OPERATOR II	BCU	204	\$ 17.91	\$ 26.03	\$ 37,253	\$ 54,142
EQUIPMENT OPERATOR III	BCU	209	\$ 20.09	\$ 28.55	\$ 41,787	\$ 59,384
EQUIPMENT REPAIRER II	BCU	204	\$ 17.91	\$ 26.03	\$ 37,253	\$ 54,142
EVENT RECRUITMENT AND MANAGEMENT COORDINATOR	PRO	PB7			\$ 70,554	\$ 113,506
EXECUTIVE SECRETARY	WCU	431	\$ 21.42	\$ 32.59	\$ 44,554	\$ 67,787
FACILITIES ASSISTANT	PRO	PB2			\$ 49,192	\$ 78,166
FACILITIES MAINTENANCE COORDINATOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
FACILITIES PROJECTS COORDINATOR	PRO/PRN	PB7			\$ 70,554	\$ 113,506
FINANCIAL COLLECTIONS COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
FINANCIAL REPORTING COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
FINANCIAL SYSTEMS COORDINATOR	PRO	PB8			\$ 76,211	\$ 122,138
<i>FIRE CADET ** Static Rate</i>	<i>FC</i>	<i>PB01**</i>	\$ 18.07		\$ 37,586	
** Restricted pay schedule						
FIRE CAPTAIN (40 hr)	FSV	FC1	\$ 54.2813	\$ 55.8942	\$ 112,905	\$ 116,260
FIRE CAPTAIN (48 hr)	FSV	FC1	\$ 45.2344	\$ 46.5785	\$ 112,905	\$ 116,260
FIRE CODES INSPECTOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
FIRE DISTRICT CHIEF (40 hr)	FSV	FD1	\$ 62.6995	\$ 64.5803	\$ 130,415	\$ 134,327
FIRE DISTRICT CHIEF (48 hr)	FSV	FD1	\$ 52.2496	\$ 53.8169	\$ 130,415	\$ 134,327
FIRE LIEUTENANT (40 hr)	FS	FL1	\$ 39.0024	\$ 47.3168	\$ 81,125	\$ 98,419
FIRE LIEUTENANT (42 hr)	FS	FL1	\$ 37.1451	\$ 45.0636	\$ 81,125	\$ 98,419
FIRE LIEUTENANT (48 hr)	FS	FL1	\$ 32.5020	\$ 39.4307	\$ 81,125	\$ 98,419
FIREFIGHTER (40 hr)	FS	FF1	\$ 23.9442	\$ 38.1880	\$ 49,804	\$ 79,431
FIREFIGHTER (42 hr)	FS	FF1	\$ 22.8040	\$ 36.3695	\$ 49,804	\$ 79,431
FIREFIGHTER (48 hr)	FS	FF1	\$ 19.9535	\$ 31.8233	\$ 49,804	\$ 79,431
FIREFIGHTER PARAMEDIC (40 hr)	FS	FP1	\$ 30.7173	\$ 45.0625	\$ 63,892	\$ 93,730
FIREFIGHTER PARAMEDIC (42 hr)	FS	FP1	\$ 29.2546	\$ 42.9167	\$ 63,892	\$ 93,730
FIREFIGHTER PARAMEDIC (48 hr)	FS	FP1	\$ 25.5978	\$ 37.5521	\$ 63,892	\$ 93,730
FIRE RESCUE QUALITY ASSURANCE COORDINATOR	PRN1	PB6			\$ 65,874	\$ 105,539
FISCAL COMPLIANCE COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
FLEET INFORMATION SYSTEMS COORDINATOR	PRN1	PB4			\$ 55,682	\$ 88,774
FLEET SUPPORT SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
FLOODPLAIN COORDINATOR	PRN1	PB4			\$ 55,682	\$ 88,774

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JOB NAME Job Classification Title	ORACLE	ORACLE				
	Union Code	Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
FORENSIC SERVICES TECHNICIAN*	PNS	IT0	\$ 28.25	\$ 44.94	\$ 58,760	\$ 93,475
GARDEN SPECIALIST	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
GIS COORDINATOR	PRO/PRN	PB8			\$ 76,211	\$ 122,138
GIS PROGRAMMER SPECIALIST I	PRO	PB3			\$ 52,354	\$ 82,410
GIS PROGRAMMER SPECIALIST II	PRO	PB5			\$ 59,405	\$ 95,763
GOLF COURSE ASSISTANT SUPERINTENDENT	NON	PB1	\$ 23.41	\$ 37.07	\$ 48,693	\$ 77,106
GOLF COURSE ATTENDANT I	NON	410	\$ 15.00	\$ 20.58	\$ 31,200	\$ 42,806
GOLF COURSE ATTENDANT II	NON	412	\$ 16.40	\$ 21.69	\$ 34,112	\$ 45,115
GOLF COURSE ATTENDANT III	NON	416	\$ 17.24	\$ 23.97	\$ 35,859	\$ 49,858
GOLF COURSE EQUIPMENT REPAIRER I	BCU	208	\$ 19.57	\$ 27.93	\$ 40,706	\$ 58,094
GOLF COURSE EQUIPMENT REPAIRER II	BCU	211	\$ 20.86	\$ 29.76	\$ 43,389	\$ 61,901
GOLF COURSE SUPERVISOR II	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
GRANTS OFFICER	PRO	PB7			\$ 70,554	\$ 113,506
GRAPHICS DESIGNER I	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
GRAPHICS DESIGNER II	WCU	434	\$ 23.05	\$ 35.35	\$ 47,944	\$ 73,528
GRAPHICS DESIGNER III	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
GREENSKEEPER	BCU	109	\$ 15.45	\$ 21.01	\$ 32,136	\$ 43,701
GREENSKEEPER LEADWORKER	BCU	201	\$ 16.39	\$ 24.73	\$ 34,091	\$ 51,438
HEALTHY ST PETE COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
HEALTH PROGRAM SPECIALIST	PRN	PB2			\$ 49,192	\$ 78,166
HEALTH PROGRAM SUPERVISOR	PRN	PB5			\$ 59,405	\$ 95,763
HISTORIC PRESERVATIONIST I	PRO	PB3			\$ 52,354	\$ 82,410
HISTORIC PRESERVATIONIST II	PRO	PB5			\$ 59,405	\$ 95,763
HISTORIC PRESERVATIONIST III	PRO	PB7			\$ 70,554	\$ 113,506
HORTICULTURAL SPECIALIST I	BCU	202	\$ 16.88	\$ 25.21	\$ 35,110	\$ 52,437
HORTICULTURAL SPECIALIST II	BCU	211	\$ 20.86	\$ 29.76	\$ 43,389	\$ 61,901
HOUSING DEVELOPMENT ASSISTANT	PRN	PB2			\$ 49,192	\$ 78,166
HOUSING DEVELOPMENT COORDINATOR	PRN	PB7			\$ 70,554	\$ 113,506
HOUSING DEVELOPMENT SPECIALIST	PRN	PB5			\$ 59,405	\$ 95,763
HOUSING FINANCE OFFICER	PRN	PB2			\$ 49,192	\$ 78,166
HUMAN RESOURCES ANALYST	PRO	PB2			\$ 49,192	\$ 78,166
HUMAN RESOURCES CLERK	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
HUMAN RESOURCES SPECIALIST	PRO	PB4			\$ 55,682	\$ 88,774
HUMAN RESOURCES SUPPORT SERVICES COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
HUMAN RESOURCES TECHNICIAN	WCU	428	\$ 19.96	\$ 30.47	\$ 41,517	\$ 63,378
HYDROGEOLOGIST	PRO	PB7			\$ 70,554	\$ 113,506
INDUSTRIAL PRETREATMENT COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
INFORMATION CLERK I	WCU	416	\$ 16.08	\$ 22.70	\$ 33,446	\$ 47,216
INFORMATION CLERK II	WCU	422	\$ 17.16	\$ 26.23	\$ 35,693	\$ 54,558
INFORMATION SPECIALIST I	PRO	PB2			\$ 49,192	\$ 78,166
INFORMATION SPECIALIST II	PRO	PB4			\$ 55,682	\$ 88,774
INFORMATION SYSTEMS ASSOCIATE	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
INFORMATION SYSTEMS TECHNICIAN	WCU	427	\$ 19.46	\$ 29.67	\$ 40,477	\$ 61,714
INFORMATION TECHNOLOGY SECURITY ANALYST	PRO	PB8			\$ 76,211	\$ 122,138
INSPECTION SUPERVISOR	NON	PB7	\$ 33.92	\$ 54.57	\$ 70,554	\$ 113,506
INTELLIGENCE ANALYST	PRO	PB3			\$ 52,354	\$ 82,410

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JOB NAME Job Classification Title	ORACLE Union Code	ORACLE Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
INVENTORY CONTROL SPECIALIST	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
LABOR RELATIONS OFFICER	PRN	PB6			\$ 65,874	\$ 105,539
LABOR RELATIONS SPECIALIST	NON	429	\$ 20.91	\$ 32.99	\$ 43,493	\$ 68,619
LATENT PRINT EXAMINER*	PNS	FT0	\$ 30.29	\$ 47.83	\$ 63,003	\$ 99,486
LEGAL ADMINISTRATIVE ASSISTANT	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
LEGAL ASSISTANT II	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
LEGAL ASSISTANT III	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
LEGAL INTERN	PRN	PB2			\$ 49,192	\$ 78,166
LEGAL SUPPORT SUPERVISOR	NON	PB6	\$ 31.67	\$ 50.74	\$ 65,874	\$ 105,539
LEGISLATIVE AIDE	PRN	PB4			\$ 55,682	\$ 88,774
LGBTQ COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
LIBRARIAN I	PRO	PB2			\$ 49,192	\$ 78,166
LIBRARIAN II	PRN	PB4			\$ 55,682	\$ 88,774
LIBRARIAN III	PRN	PB6			\$ 65,874	\$ 105,539
LIBRARY AIDE	WCU	411	\$ 15.45	\$ 19.99	\$ 32,136	\$ 41,579
LIBRARY ASSISTANT I	WCU	415	\$ 15.92	\$ 22.15	\$ 33,114	\$ 46,072
LIBRARY ASSISTANT II	WCU	421	\$ 16.89	\$ 25.66	\$ 35,131	\$ 53,373
LIBRARY SUPPORT SERVICES COORDINATOR	PRN	PB4			\$ 55,682	\$ 88,774
LIFEGUARD	NON	413	\$ 16.73	\$ 22.23	\$ 34,798	\$ 46,238
LIFEGUARD INSTRUCTOR	NON	415	\$ 17.07	\$ 23.35	\$ 35,506	\$ 48,568
MAIL CLERK I	WCU	412	\$ 15.45	\$ 20.56	\$ 32,136	\$ 42,765
MAIL CLERK II	WCU	416	\$ 16.08	\$ 22.70	\$ 33,446	\$ 47,216
MAINTENANCE LEADWORKER	BCU	205	\$ 18.45	\$ 26.67	\$ 38,376	\$ 55,474
MAINTENANCE MECHANIC I	BCU	208	\$ 19.57	\$ 27.93	\$ 40,706	\$ 58,094
MAINTENANCE MECHANIC II	BCU	212	\$ 21.49	\$ 30.46	\$ 44,699	\$ 63,357
MAINTENANCE WORKER I	BCU	106	\$ 15.45	\$ 20.34	\$ 32,136	\$ 42,307
MAINTENANCE WORKER II	BCU	110	\$ 15.91	\$ 21.40	\$ 33,093	\$ 44,512
MARINA AND PORT OPERATIONS SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
MARINA ASSISTANT	WCU	422	\$ 17.16	\$ 26.23	\$ 35,693	\$ 54,558
MARINA STORE SUPERVISOR	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
MARKETING BOOKING COORDINATOR	PRO	PB3			\$ 52,354	\$ 82,410
MARKETING OPERATIONS SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
MARKETING OUTREACH SPECIALIST	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
MARKETING SERVICES COORDINATOR	PRN1	PB4			\$ 55,682	\$ 88,774
MAYOR AND CITY ADMINISTRATOR SECRETARY	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
MECHANICAL INSPECTOR	BCU	360	\$ 30.86	\$ 41.10	\$ 64,189	\$ 85,488
METER READER	BCU	112	\$ 16.23	\$ 23.19	\$ 33,758	\$ 48,235
METER READER SUPERVISOR	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
MICROGRAPHICS TECHNICIAN	WCU	417	\$ 16.24	\$ 23.29	\$ 33,779	\$ 48,443
MULCH PROGRAM COORDINATOR	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
NATURE PARK SUPERVISOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
NATURE PRESERVE RANGER	BCU	204	\$ 17.91	\$ 26.03	\$ 37,253	\$ 54,142
NATURE PRESERVE SUPERVISOR I	PRO	PB1			\$ 48,693	\$ 77,106
NATURE PRESERVE SUPERVISOR II	PRO/PRN	PB3			\$ 52,354	\$ 82,410
NEIGHBORHOOD COORDINATOR	PRO	PB7			\$ 70,554	\$ 113,506

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	Union Code	Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
NEIGHBORHOOD SPECIALIST	PRO	PB4			\$ 55,682	\$ 88,774
NEIGHBORHOOD TRANSPORTATION COORDINATOR	PRN	PB7			\$ 70,554	\$ 113,506
NETWORK SYSTEMS ANALYST I	PRO	PB4			\$ 55,682	\$ 88,774
NETWORK SYSTEMS ANALYST II	PRO	PB6			\$ 65,874	\$ 105,539
OFFICE SYSTEMS ASSISTANT	WCU	414	\$ 15.76	\$ 21.61	\$ 32,781	\$ 44,949
OFFICE SYSTEMS SPECIALIST	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
OPERATIONS ANALYST	PRO	PB4			\$ 55,682	\$ 88,774
OPERATIONS SPECIALIST	PRO	PB2			\$ 49,192	\$ 78,166
ORACLE DEVELOPER	PRO	PB10			\$ 83,408	\$ 133,203
PARAMEDIC (40 Hour)	FNS	FP0	\$ 23.9442	\$ 38.1880	\$ 49,804	\$ 79,431
PARAMEDIC (42 Hour)	FNS	FP0	\$ 22.8040	\$ 36.3695	\$ 49,804	\$ 79,431
PARAMEDIC (48 Hour)	FNS	FP0	\$ 19.9535	\$ 31.8233	\$ 49,804	\$ 79,431
PARKING ENFORCEMENT OFFICER	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
PARKING ENFORCEMENT SUPERVISOR	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
PARKING MANAGEMENT COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
PARKING METER TECHNICIAN	BCU	205	\$ 18.45	\$ 26.67	\$ 38,376	\$ 55,474
PARKS OPERATIONS FOREPERSON	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
PARKS SUPPORT SERVICES COORDINATOR	PRO	PB4			\$ 55,682	\$ 88,774
PAVEMENT APPRENTICE	BCU	203	\$ 17.39	\$ 25.40	\$ 36,171	\$ 52,832
PAVEMENT MAINTENANCE FOREPERSON	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
PAVEMENT MAINTENANCE LEADWORKER	BCU	213	\$ 22.13	\$ 31.09	\$ 46,030	\$ 64,667
PAVEMENT TECHNICIAN	BCU	210	\$ 20.39	\$ 29.16	\$ 42,411	\$ 60,653
PAYROLL COORDINATOR	PRO	PB3			\$ 52,354	\$ 82,410
PENSION SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
PERMITTING SYSTEMS ANALYST	PRO	PB5			\$ 59,405	\$ 95,763
PERMITTING SYSTEMS SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
PHYSICAL FITNESS PROGRAM COORDINATOR	PRO	PB1			\$ 48,693	\$ 77,106
PLANNER I	PRO	PB3			\$ 52,354	\$ 82,410
PLANNER II	PRO	PB5			\$ 59,405	\$ 95,763
PLANNER III	PRO	PB7			\$ 70,554	\$ 113,506
PLANNING TECHNICIAN	WCU	433	\$ 22.55	\$ 34.46	\$ 46,904	\$ 71,677
PLANS EXAMINER	WCU	439	\$ 26.11	\$ 40.07	\$ 54,309	\$ 83,346
PLANS REVIEW COORDINATOR	NON	PB6	\$ 31.67	\$ 50.74	\$ 65,874	\$ 105,539
PLANS REVIEW SUPERVISOR	PRN	PB7			\$ 70,554	\$ 113,506
PLANS SUBMITTAL SPECIALIST	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
PLANT MAINTENANCE COORDINATOR	WCU	440	\$ 26.80	\$ 41.04	\$ 55,744	\$ 85,363
PLANT MAINTENANCE MECHANIC APPRENTICE	BCU	208	\$ 19.57	\$ 27.93	\$ 40,706	\$ 58,094
PLANT MAINTENANCE MECHANIC	BCU	216	\$ 24.18	\$ 33.73	\$ 50,294	\$ 70,158
PLANT MAINTENANCE SUPERVISOR	NON	PB6	\$ 31.67	\$ 50.74	\$ 65,874	\$ 105,539
PLANT MAINTENANCE TECHNICIAN	BCU	303	\$ 24.92	\$ 35.70	\$ 51,834	\$ 74,256
PLANT MAINTENANCE TECHNICIAN II	BCU	304	\$ 25.66	\$ 37.48	\$ 53,373	\$ 77,958
PLANT MAINTENANCE TECHNICIAN III	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
PLUMBING INSPECTOR	BCU	360	\$ 30.86	\$ 41.10	\$ 64,189	\$ 85,488
<i>POLICE CADET ** Static Rate</i>	<i>PC</i>	<i>PB1**</i>	\$ 20.55		\$ 42,744	

**** Restricted pay schedule**

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	Union Code	Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
POLICE GRANTS COORDINATOR	PRN	PB5			\$ 59,405	\$ 95,763
POLICE INVESTIGATIVE ASSISTANT	WCU	432	\$ 21.99	\$ 33.62	\$ 45,739	\$ 69,930
POLICE LEGAL ASSISTANT	NON	PB1	\$ 23.41	\$ 37.07	\$ 48,693	\$ 77,106
POLICE LIEUTENANT	PSV	PL0	\$ 59.69	\$ 65.31	\$ 124,155	\$ 135,845
POLICE OFFICER*	PS	PO0	\$ 29.84	\$ 48.64	\$ 62,067	\$ 101,171
POLICE RECORDS TECHNICIAN	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
POLICE SERGEANT	PSV	PS0	\$ 50.54	\$ 56.69	\$ 105,123	\$ 117,915
POLICE TRAINING SPECIALIST	PRO	PB4			\$ 55,682	\$ 88,774
POLYGRAPH EXAMINER	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
PRINT SHOP SUPERVISOR	NON	PB1	\$ 23.41	\$ 37.07	\$ 48,693	\$ 77,106
PRINTER II	WCU	428	\$ 19.96	\$ 30.47	\$ 41,517	\$ 63,378
PROCUREMENT ANALYST	PRO	PB4			\$ 55,682	\$ 88,774
PROCUREMENT SPECIALIST	PRO	PB1			\$ 48,693	\$ 77,106
PROGRAM SPECIALIST SUPERVISOR	PRN	PB2			\$ 49,192	\$ 78,166
PROPERTY AND ASSET MANAGEMENT COORDINATOR	PRO	PB5			\$ 59,405	\$ 95,763
PROPERTY AND EVIDENCE CLERK	WCU	423	\$ 17.60	\$ 26.86	\$ 36,608	\$ 55,869
PROPERTY AND EVIDENCE SUPERVISOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
PUBLIC SAFETY TELECOMMUNICATOR	WCU	436	\$ 24.21	\$ 37.08	\$ 50,357	\$ 77,126
PUBLIC SAFETY TELECOMMUNICATOR TRAINEE	WCU	430	\$ 21.01	\$ 31.96	\$ 43,701	\$ 66,477
PURCHASING SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
REAL ESTATE COORDINATOR	PRO	PB7			\$ 70,554	\$ 113,506
REAL ESTATE SPECIALIST	PRO	PB5			\$ 59,405	\$ 95,763
RECLAIMED WATER LIAISON	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
RECORDS MANAGEMENT TECHNICIAN	WCU	422	\$ 17.16	\$ 26.23	\$ 35,693	\$ 54,558
RECORDS SECTION SUPERVISOR	PRN	PB4			\$ 55,682	\$ 88,774
RECORDS SERVICES SUPERVISOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
RECORDS SUPPORT OPERATOR	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
RECREATION ADMINISTRATIVE SUPPORT COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
RECREATION AIDE	WCU	417	\$ 16.24	\$ 23.29	\$ 33,779	\$ 48,443
RECREATION ATTENDANT	NON	410	\$ 15.00	\$ 20.58	\$ 31,200	\$ 42,806
RECREATION CENTER ASSISTANT	WCU	419	\$ 16.56	\$ 24.44	\$ 34,445	\$ 50,835
RECREATION LEADER	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
RECREATION SPECIALIST	WCU	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
RECREATION SUPERVISOR I	PRO	PB1			\$ 48,693	\$ 77,106
RECREATION SUPERVISOR II	PRN	PB3			\$ 52,354	\$ 82,410
REHABILITATION OFFICER I	PRN	PB2			\$ 49,192	\$ 78,166
REHABILITATION OFFICER II	PRN	PB4			\$ 55,682	\$ 88,774
RESERVE OFFICER (**Static Rate)	NON	417	\$ 19.31		\$ 40,165	
** Restricted pay schedule						
REVENUE OFFICER	PRN	PB6			\$ 65,874	\$ 105,539
RISK MANAGEMENT ANALYST	PRO	PB4			\$ 55,682	\$ 88,774
RODENT CONTROL TECHNICIAN	BCU	214	\$ 22.80	\$ 31.82	\$ 47,424	\$ 66,186
SAFETY AND TRAINING OFFICER	PRO	PB4			\$ 55,682	\$ 88,774
SANITATION COLLECTION SUPERVISOR	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
SANITATION FIELD SERVICES COORDINATOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
SANITATION INSPECTOR I	BCU	212	\$ 21.49	\$ 30.46	\$ 44,699	\$ 63,357

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SANITATION INSPECTOR II	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
SANITATION SERVICE WORKER	BCU	110	\$ 15.91	\$ 21.40	\$ 33,093	\$ 44,512
SANITATION SPECIALIST	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
SANITATION SUPPORT SERVICES COORDINATOR	PRN	PB4			\$ 55,682	\$ 88,774
SANITATION TECHNICIAN	BCU	212	\$ 21.49	\$ 30.46	\$ 44,699	\$ 63,357
SCADA ANALYST	PRO	PB6			\$ 65,874	\$ 105,539
SCADA SUPERVISOR	PRN	PB7			\$ 70,554	\$ 113,506
SCHOOL CROSSING GUARD *** Static Rate	NON	416	\$ 19.54		\$ 13,190	
SCHOOL CROSSING GUARD II *** Static Rate	NON	416	\$ 22.60		\$ 15,255	
SCHOOL CROSSING GUARD SUPERVISOR	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
SECURITY OFFICER	BCU	111	\$ 16.07	\$ 21.85	\$ 33,426	\$ 45,448
SECURITY SUPERVISOR	NON	422	\$ 18.30	\$ 27.68	\$ 38,064	\$ 57,574
SENIOR APPLICATION SUPPORT SPECIALIST	PRO	PB6			\$ 65,874	\$ 105,539
SENIOR AUDITOR	PRO	PB8			\$ 76,211	\$ 122,138
SENIOR BUDGET ANALYST	PRN	PB8			\$ 76,211	\$ 122,138
SENIOR CAPITAL IMPROVEMENTS COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
SENIOR CAPITAL PROJECTS COORDINATOR	PRO	PB8			\$ 76,211	\$ 122,138
SENIOR COMPUTER PROGRAMMER ANALYST LEAD	PRO/PRN	PB9			\$ 82,243	\$ 129,002
SENIOR DOTS LEAD	PRN	PB11			\$ 85,925	\$ 137,218
SENIOR ENGINEERING CLERK	WCU	433	\$ 22.55	\$ 34.46	\$ 46,904	\$ 71,677
SENIOR FACILITIES PROJECT COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
SENIOR FLEET OPERATIONS SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
SENIOR HOUSING DEVELOPMENT COORDINATOR	PRN	PB6			\$ 65,874	\$ 105,539
SENIOR HUMAN RESOURCES ANALYST	PRO/PRN	PB6			\$ 65,874	\$ 105,539
SENIOR LABOR RELATIONS OFFICER	PRN	PB7			\$ 70,554	\$ 113,506
SENIOR LEGISLATIVE AIDE	PRN	PB6			\$ 65,874	\$ 105,539
SENIOR NETWORK SYSTEMS ANALYST	PRO	PB8			\$ 76,211	\$ 122,138
SENIOR OPERATIONS ANALYST	PRO	PB6			\$ 65,874	\$ 105,539
SENIOR PLANS EXAMINER	WCU	445	\$ 30.16	\$ 46.30	\$ 62,733	\$ 96,304
SENIOR PLANT MAINTENANCE COORDINATOR	WCU	442	\$ 28.14	\$ 43.18	\$ 58,531	\$ 89,814
SENIOR PROCUREMENT ANALYST	PRO	PB6			\$ 65,874	\$ 105,539
SENIOR PROFESSIONAL ENGINEER	PRO	PB10			\$ 83,408	\$ 133,203
SENIOR REAL ESTATE COORDINATOR	PRO	PB8			\$ 76,211	\$ 122,138
SENIOR SERVER ANALYST	PRO	PB8			\$ 76,211	\$ 122,138
SENIOR SYSTEMS PROGRAMMER	PRO	PB8			\$ 76,211	\$ 122,138
SENIOR VIDEO SPECIALIST	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
SERVER ANALYST I	PRO	PB5			\$ 59,405	\$ 95,763
SERVER ANALYST II	PRO	PB6			\$ 65,874	\$ 105,539
SIGN FABRICATOR II	BCU	209	\$ 20.09	\$ 28.55	\$ 41,787	\$ 59,384
SINGLE FAMILY RESIDENTIAL INSPECTOR	BCU	360	\$ 30.86	\$ 41.10	\$ 64,189	\$ 85,488
SMALL BUSINESS ENTERPRISE SPECIALIST	PRO	PB2			\$ 49,192	\$ 78,166
SOCIAL SERVICES SPECIALIST	PRO	PB3			\$ 52,354	\$ 82,410
SOLID WASTE EQUIPMENT MECHANIC I	BCU	211	\$ 20.86	\$ 29.76	\$ 43,389	\$ 61,901
SOLID WASTE EQUIPMENT MECHANIC II	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
SOLID WASTE EQUIPMENT MECHANIC III	BCU	216	\$ 24.18	\$ 33.73	\$ 50,294	\$ 70,158
SOLID WASTE EQUIPMENT SPECIALIST	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120

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	Union Code	Job Name Pay Code	Hourly MIN	Hourly MAX	MIN	MAX
SPECIAL PROJECTS COORDINATOR	PRN1	PB6			\$ 65,874	\$ 105,539
SPECIAL ASSISTANT TO THE CHIEF OF STAFF	PRN	PB6			\$ 65,874	\$ 105,539
SPECIAL ASSISTANT TO THE MAYOR	PRN	PB6			\$ 65,874	\$ 105,539
ST PETE STAT COORDINATOR	PRO	PB4			\$ 55,682	\$ 88,774
STAFFING AND SCREENING SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
STOREKEEPER I	WCU	418	\$ 16.40	\$ 23.88	\$ 34,112	\$ 49,670
STOREKEEPER II	WCU	424	\$ 18.10	\$ 27.49	\$ 37,648	\$ 57,179
STORMWATER OPERATIONS FOREPERSON	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
STORMWATER PAVEMENT AND TRAFFIC SUPERVISOR	NON	PB4	\$ 26.77	\$ 42.68	\$ 55,682	\$ 88,774
STORMWATER UTILITIES MAINTENANCE APPRENTICE	BCU	203	\$ 17.39	\$ 25.40	\$ 36,171	\$ 52,832
STORMWATER UTILITIES MAINTENACE LEADWORKER	BCU	213	\$ 22.13	\$ 31.09	\$ 46,030	\$ 64,667
STORMWATER UTILITIES MAINTENANCE TECHNICIAN	BCU	210	\$ 20.39	\$ 29.16	\$ 42,411	\$ 60,653
STRATEGIC GRANTS WRITER	PRN1	PB7			\$ 70,554	\$ 113,506
STUDENT INTERN	NON	415	\$ 17.07	\$ 23.35	\$ 35,506	\$ 48,568
SUNKEN GARDENS OPERATIONS FOREPERSON	NON	PB1	\$ 23.41	\$ 37.07	\$ 48,693	\$ 77,106
SUPPLIER DIVERSITY ANALYST	PRN1	PB6			\$ 65,874	\$ 105,539
SUPPLIER DIVERSITY CERTIFICATION SPECIALIST	PRN1	PB5			\$ 59,405	\$ 95,763
SURVEY PARTY CHIEF	NON	PB1	\$ 23.41	\$ 37.07	\$ 48,693	\$ 77,106
SURVEY PROJECT COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
SWIMMING POOL ASSISTANT SUPERVISOR	NON	420	\$ 17.94	\$ 26.39	\$ 37,315	\$ 54,891
SWIMMING POOL SUPERVISOR	NON	433	\$ 23.18	\$ 36.70	\$ 48,214	\$ 76,336
SYSTEMS ANALYST	PRO	PB6			\$ 65,874	\$ 105,539
SYSTEMS PC ANALYST	PRO	PB4			\$ 55,682	\$ 88,774
SYSTEMS PC ANALYST II	PRO	PB6			\$ 65,874	\$ 105,539
SYSTEMS PROGRAMMER	PRO	PB7			\$ 70,554	\$ 113,506
TELECOMMUNICATIONS NETWORK SPECIALIST	PRO	PB6			\$ 65,874	\$ 105,539
TELECOMMUNICATIONS NETWORK SUPERVISOR	PRN	PB7			\$ 70,554	\$ 113,506
TELECOMMUNICATIONS NETWORK TECHNICIAN II	WCU	444	\$ 29.57	\$ 45.38	\$ 61,506	\$ 94,390
TIRE AND WHEEL SPECIALIST	BCU	206	\$ 19.00	\$ 27.25	\$ 39,520	\$ 56,680
TRAFFIC ENGINEERING ASSISTANT I	WCU	427	\$ 19.46	\$ 29.67	\$ 40,477	\$ 61,714
TRAFFIC ENGINEERING ASSISTANT II	WCU	435	\$ 23.62	\$ 36.18	\$ 49,130	\$ 75,254
TRAFFIC MAINTENANCE FOREPERSON	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
TRAFFIC SIGNAL COORDINATOR	PRO	PB4			\$ 55,682	\$ 88,774
TRAFFIC SIGNAL TECHNICIAN I	BCU	211	\$ 20.86	\$ 29.76	\$ 43,389	\$ 61,901
TRAFFIC SIGNAL TECHNICIAN II	BCU	301	\$ 24.49	\$ 34.45	\$ 50,939	\$ 71,656
TRAFFIC SIGNAL TECHNICIAN III	BCU	304	\$ 25.66	\$ 37.48	\$ 53,373	\$ 77,958
TRAFFIC SPECIALIST	WCU	420	\$ 16.73	\$ 25.02	\$ 34,798	\$ 52,042
TRAFFIC TECHNICIAN	BCU	209	\$ 20.09	\$ 28.55	\$ 41,787	\$ 59,384
TRAINING AND DEVELOPMENT COORDINATOR	PRO	PB6			\$ 65,874	\$ 105,539
TRAINING COORDINATOR	PRO	PB5			\$ 59,405	\$ 95,763
TRAINING SPECIALIST	PRO	PB2			\$ 49,192	\$ 78,166
TRAINING SUPERVISOR	PRN	PB7			\$ 70,554	\$ 113,506
TRANSPORTATION PLANNING COORDINATOR	PRN	PB8			\$ 76,211	\$ 122,138
TREE TRIMMER I	BCU	201	\$ 16.39	\$ 24.73	\$ 34,091	\$ 51,438
TREE TRIMMER II	BCU	205	\$ 18.45	\$ 26.67	\$ 38,376	\$ 55,474
TREE TRIMMER LEADWORKER	BCU	210	\$ 20.39	\$ 29.16	\$ 42,411	\$ 60,653

CITY OF ST. PETERSBURG
CLASSIFIED CLASSIFICATION DESCRIPTIONS
Effective 9/26/2022 (FY23)

Rev. 2/22/2023						
JOB NAME Job Classification Title	ORACLE	ORACLE				
	Union Code	Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX
TV OPERATIONS SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
URBAN DESIGN AND DEVELOPMENT COORDINATOR	PRO	PB8			\$ 76,211	\$ 122,138
UTILITIES LOCATOR TECHNICIAN	BCU	208	\$ 19.57	\$ 27.93	\$ 40,706	\$ 58,094
VICTIM ASSISTANCE SPECIALIST	PRO	PB2			\$ 49,192	\$ 78,166
VIDEO PRODUCTION SPECIALIST	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
VIDEO PRODUCTION TECHNICIAN	NON	PB3	\$ 25.17	\$ 39.62	\$ 52,354	\$ 82,410
WASTEWATER FOREPERSON	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
WASTEWATER SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
WASTEWATER UTILITIES MAINTENANCE APPRENTICE	BCU	204	\$ 17.91	\$ 26.03	\$ 37,253	\$ 54,142
WASTEWATER UTILITIES MAINTENANCE LEADWORKER	BCN1	213	\$ 22.13	\$ 31.09	\$ 46,030	\$ 64,667
WASTEWATER UTILITIES MAINTENANCE TECHNICIAN	BCU	211	\$ 20.86	\$ 29.76	\$ 43,389	\$ 61,901
WATER CONSERVATION COORDINATOR	PRO/PRN	PB5			\$ 59,405	\$ 95,763
WATER DISTRIBUTION SUPERVISOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
WATER DISTRIBUTION SYSTEMS COORDINATOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
WATER FOREPERSON	NON	PB2	\$ 23.65	\$ 37.58	\$ 49,192	\$ 78,166
WATER PLANT CHIEF OPERATOR	NON	PB6	\$ 31.67	\$ 50.74	\$ 65,874	\$ 105,539
WATER PLANT OPERATIONS SPECIALIST	WCU	444	\$ 29.57	\$ 45.38	\$ 61,506	\$ 94,390
WATER PLANT OPERATOR I	BCU	208	\$ 19.57	\$ 27.93	\$ 40,706	\$ 58,094
WATER PLANT OPERATOR II	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
WATER PLANT OPERATOR III	BCU	303	\$ 24.92	\$ 35.70	\$ 51,834	\$ 74,256
WATER PLANT OPERATOR IV	BCM	360	\$ 28.83	\$ 42.33	\$ 59,966	\$ 88,046
WATER RECLAMATION PLANT CHIEF OPERATOR	NON	PB6	\$ 31.67	\$ 50.74	\$ 65,874	\$ 105,539
WATER RECLAMATION PLANT OPERATOR I	BCU	208	\$ 19.57	\$ 27.93	\$ 40,706	\$ 58,094
WATER RECLAMATION PLANT OPERATOR II	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
WATER RECLAMATION PLANT OPERATOR III	BCU	350	\$ 29.97	\$ 39.90	\$ 62,338	\$ 82,992
WATER RECLAMATION PLANT OPERATOR IV	BCM	360	\$ 28.83	\$ 42.33	\$ 59,966	\$ 88,046
WATER RECLAMATION PLANT OPERATOR SPECIALIST	WCU	444	\$ 29.57	\$ 45.38	\$ 61,506	\$ 94,390
WATER SAFETY INSTRUCTOR	NON	413	\$ 16.73	\$ 22.23	\$ 34,798	\$ 46,238
WATER SYSTEMS TECHNICIAN I	BCU	204	\$ 17.91	\$ 26.03	\$ 37,253	\$ 54,142
WATER SYSTEMS TECHNICIAN II	BCU	212	\$ 21.49	\$ 30.46	\$ 44,699	\$ 63,357
WATER UTILITIES MAINTENANCE APPRENTICE	BCU	204	\$ 17.91	\$ 26.03	\$ 37,253	\$ 54,142
WATER UTILITIES MAINTENANCE TECHNICIAN	BCU	212	\$ 21.49	\$ 30.46	\$ 44,699	\$ 63,357
WATER UTILITIES MAINTENANCE TECHNICIAN II	BCU	215	\$ 23.48	\$ 32.75	\$ 48,838	\$ 68,120
WEB COORDINATOR	NON	PB5	\$ 28.56	\$ 46.04	\$ 59,405	\$ 95,763
WELDER	BCU	213	\$ 22.13	\$ 31.09	\$ 46,030	\$ 64,667
WORK METHODS ANALYST	WCN1	436	\$ 24.21	\$ 37.08	\$ 50,357	\$ 77,126
WORKERS COMPENSATION SUPERVISOR	PRN	PB6			\$ 65,874	\$ 105,539
YOUTH DEVELOPMENT WORKER	WCU	417	\$ 16.24	\$ 23.29	\$ 33,779	\$ 48,443
YOUTH FARM ATTENDANT	NON	410	\$ 15.00	\$ 20.58	\$ 31,200	\$ 42,806
YOUTH FARM SPECIALIST	WCN1	426	\$ 18.97	\$ 28.91	\$ 39,458	\$ 60,133
YOUTH FARM SUPERVISOR	PRN	PB1			\$ 48,693	\$ 77,106
YOUTH FARM WORKER	WCN1	417	\$ 16.24	\$ 23.29	\$ 33,779	\$ 48,443

NON-exempt employees are considered hourly employees. FPSU/SEIU (BCU,BCM,WCU), EVN, NON employees are considered hourly employees.

PRO/PRN designations in this plan are subject to review for appropriate designation at time of hire/promotion and may need union review.

CITY OF ST. PETERSBURG
CLASSIFIED CLASSIFICATION DESCRIPTIONS
Effective 9/26/2022 (FY23)

Rev. 2/22/2023						
JOB NAME Job Classification Title	ORACLE Union Code	ORACLE Job Name Pay Code	Hourly MIN	Hourly MAX	Annual MIN	Annual MAX

Annual salaries in Oracle are calculated on 2,080 regularly scheduled hours. Because pay hours may vary for hourly employees, the annual salaries are not to be construed as a guaranteed income for the year and are to be used for reference purposes only.

* Maximum pay does not include Master Step 13
 **Restricted Schedules employees are hired in at minimum until promoted to the next classification level.
 ***Pay is static and not subject to pay range changes

CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

INITIAL EMPLOYMENT

All classified service employees will normally be employed at the entry pay rate of the pay range assigned to their classification. In certain cases, approval may be granted for an employee to be employed above the entry pay rate based upon exceptional applicant training and experience, or unusual recruitment conditions. Exceptions may be referenced in the Administrative Policy # 060404 - Starting Salaries for Newly Hired or Promoted Employees .

<U:\Administrative Policies\Administrative Policy Files\PDF\AP060404.pdf>

PAY PROGRESSION PROGRAMS

For FY23, all NON,PRN,WCN,BCN employees will be eligible only for a three percent (3.0%) general wage increase (GWI) effective on payroll start date 9/26/2022. Annual anniversary merit increases if approved will be 2% on the employee's classification date if the employee gets a satisfactory evaluation (meets expected competencies) with a potential to get up to 3% if the employee exceeds expected job competencies for FY23.

FPSU/SEIU Professional (PRO) Union-For FY23, PRO employees will be eligible for a three percent (3.0%) general wage increase (GWI) effective on payroll start date 9/26/2022. Annual progression increases, if approved, will be from 0% to 3% as based upon the union agreement.

FPSU/SEIU White Collar Unit(WCU) and Blue Collar Merit(BCM)-For FY23, WCU and BCM employees will be eligible for a three percent (3.0%) general wage increase (GWI) effective on payroll start date 9/26/2022. Annual progression increases, if approved, will be from 0% to 3% as based upon the union agreement.

Labor, Maintenance, Trades and Crafts (FPSU Represented Employees)

FPSU/SEIU Blue Collar Unit (BCU) -For FY23, BCU employees will be eligible for a three percent (3.0%) general wage increase (GWI) effective on payroll start date 9/26/2022. Annual progression increases, if approved, will be from 0% to 3% as based upon the union agreement.

Provisions of this pay program are administered in accordance with the current negotiated FPSU labor agreement. Pay information for the minimum and maximum pay for these BCU union represented classifications are available in the rate tables.

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CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

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CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

Uniformed Police and Fire Department Classifications

Union Represented Classifications: All classified service employees in union represented police and fire classifications are included in a negotiated automatic pay step program. Employees receive an automatic step increase on an annual basis until maximum pay is achieved. All automatic step increases are based upon classification seniority, and become effective at the beginning of the payroll period encompassing the employee's anniversary date of classification. Provisions of this pay program are administered in accordance with the respective negotiated labor agreements. Pay steps for union-represented police classifications and pay steps for union represented fire classifications are available in the rate tables.

PROMOTIONAL PAY PROCEDURES

Employees promoted to a higher level classification (except for those promoted from Firefighter to Firefighter/Paramedic) shall receive a promotional pay increase of at least five percent (5%) or the entry pay rate of the classification, whichever is greater.

Promotional pay procedures for professional, non-union, and supervisory positions are outlined in Administrative Policy #060404 - Authority to Set Starting Salaries for New & Promoted Employees.

<U:\Administrative Policies\Administrative Policy Files\PDF\AP060404.pdf>

Employees in the FPSU/SEIU when promoted to a higher level classification shall receive a promotional pay increase of at least five percent (5%) or the entry pay rate of the classification, whichever is greater.

Promotional pay procedures for an employee classified as a firefighter, who is promoted to a Firefighter/Paramedic, are covered in the current SPAFF labor agreement.

ACTING PAY

Any full-time employee who is required and assigned to serve as an acting supervisor for a minimum of one full shift of at least eight (8) hours shall be compensated for each hour worked in an acting supervisory capacity at the same hourly rate of pay the employee would have received if actually promoted to an appropriate supervisory classification. (Employees assigned to the Parking Enforcement Division of the Transportation & Parking Management Department do not have an eight (8) hour minimum for extra duty hours assigned and worked as an acting supervisor). (Employees assigned to the Police Emergency Communications Division are eligible to receive acting supervisor pay when assigned and actually work in that capacity for a minimum of four (4) hours.

Employees temporarily assigned by the Department Director to work on temporary upgraded assignments or take on a temporary leadership role shall be paid a leadership incentive pay of sixty cents (\$.60) per hour.

Acting supervisor pay for union represented Police and Fire classifications are covered in the respective labor agreements.

Any full-time classified service employee who is required and assigned to serve as an acting manager for an administrative management employee for a minimum of three consecutive work days shall be compensated for each complete shift worked in an acting capacity by one (1) additional hour of pay at his/her straight time hourly rate.

LEADERSHIP INCENTIVE PAY

Employees temporarily assigned by the Department Director to work on temporary upgraded assignments, or take on a temporary leadership role, shall be paid leadership incentive pay of sixty cents (\$.60) per hour. This incentive pay shall not be in lieu of any acting pay or acting assignments, and shall not be applicable in divisions or work groups in which there is already a leadworker job classification.

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CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

SHIFT DIFFERENTIAL

Non-Union and FPSU/SEIU (BCU and WCU) represented employees who work a continuous shift of at least eight (8) hours starting between 1:00 P.M. and 4:00 A.M. are not considered to be working a normal shift schedule and will be paid a shift differential of one dollar (\$1.00) per hour for all hours worked.

Communication Center WCU employees who work a continuous shift beginning between the hours of 1:00 P.M. and 9:00 P.M. (evening shift) will be paid a shift differential rate of one dollar (\$1.10) and ten cents per hour; and, employees who work a continuous shift beginning between the hours of 9:00 P.M. to 4:00 A.M. (night shift) will be paid a shift differential of one-dollar (\$1.25) and twenty-five cents per hour for all hours worked.

Employees scheduled to work an eight (8) hour or more shift and who utilize annual, illness, bereavement, or other leave for a part of the shift shall only be paid shift differential for hours actually worked.

Employees who work a normal day shift and continue to work beyond their regular scheduled hours are not eligible for shift differential.

Shift differentials for union represented Police classifications are contained in the respective agreements.

Employees assigned to shifts which qualify them for shift differential shall receive the differential for all hours worked, including any overtime hours worked as an extension of that shift. An overtime assignment which calls for an employee to work a day shift is not covered by shift differential.

RED CIRCLE PAY RATE

A "Red Circle" pay rate is an hourly pay rate in excess of the established maximum rate for an assigned pay grade. Employees earning a Red Circle pay rate will not be eligible for future salary increases until the pay range for their classification is adjusted to allow for payment of a rate within the established range.

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CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

FY 22/23

BI-WEEKLY PAYROLL CALENDAR		
MONDAY thru SUNDAY		
PPB		PPE
Sep 26 22		Oct 09 22
Oct 10 22		Oct 23 22
Oct 24 22		Nov 06 22
Nov 07 22		Nov 20 22
Nov 21 22		Dec 04 22
Dec 05 22		Dec 18 22
Dec 19 22		Jan 01 23
Jan 02 23		Jan 15 23
Jan 16 23		Jan 29 23
Jan 30 23		Feb 12 23
Feb 13 23		Feb 26 23
Feb 27 23		Mar 12 23
Mar 13 23		Mar 26 23
Mar 27 23		Apr 09 23
Apr 10 23		Apr 23 23
Apr 24 23		May 07 23
May 08 23		May 21 23
May 22 23		Jun 04 23
Jun 05 23		Jun 18 23
Jun 19 23		Jul 02 23
Jul 03 23		Jul 16 23
Jul 17 23		Jul 30 23
Jul 31 23		Aug 13 23
Aug 14 23		Aug 27 23
Aug 28 23		Sep 10 23
Sep 11 23		Sep 24 23

Rev.9/26/2022

CITY OF ST. PETERSBURG

COMPENSATION POLICIES AND SPECIAL PAY PROVISIONS

- A. *Merit principal.* All appointments and promotions of City employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.
- B. *Civil Service Commission; Membership.* There shall be a Civil Service Commission of the City of Madeira Beach, Florida, which Commission shall be composed of five citizens of said City. The Civil Service Commission shall be appointed by the Board of Commissioners of the City of Madeira Beach, Florida. The term of office for each member shall be three years and shall be staggered so that not more than two terms expire within any one year. Three Commissioners shall constitute a quorum. Members of the Civil Service Commission shall hold no remunerative office or employment under the City of Madeira Beach, Florida. The Board of Commissioners of the City of Madeira Beach, Florida, shall have the authority to remove for cause any and/or all Civil Service Commissioners.
- C. *Personnel Rules.* The Civil Service Commission shall prepare personnel rules. When concurred by the City Manager, the rules shall be proposed to the Board of Commissioners, and the Board of Commissioners may by Ordinance adopt them with or without amendment. These rules shall include, but are not limited to:
1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
 2. A pay plan for all classified City positions;
 3. Methods for determining the merits and fitness of candidates for appointment or promotions;
 4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
 5. The hours of work, attendance regulation and provisions for sick and vacation leave;
 6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
 7. Other practices and procedures necessary to the administration of the City personnel system;
 8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.
- D. *Duties and powers of the Civil Service Commission.* All duties, powers, reservations of power, and funding for the Civil Service Commission may be provided for by Ordinance duly passed by the

Board of Commissioners of the City of Madeira Beach, Florida.

Item 6B.

- E. *Powers to collectively bargain recognized.* Nothing contained in this Charter shall limit the power of the Board of Commissioners of the City of Madeira Beach, Florida, acting through its Manager from entering into collective bargaining negotiations with any officers, employees, or group of employees for the purpose of establishing by contract conditions of employment, rules or compensation of said officers, employees, or groups of employees. For the purposes of this Charter, ARTICLE I, Section 6, of the Constitution of the State of Florida is specifically recognized.

(Ord. No. 446, 1-28-1975; Ord. No. 664, 8-14-1984/11-7-1984; Ord. No. 2018-09, § 1(Exh. A), 8-20-2018)



Job Title:	Accountant		
Department/Group:	Finance Department	Supervisor:	Finance Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$51,110 to \$76,665 yr. DOQ	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 humanresources@madeirabeachfl.gov Subject Line: Accountant Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the limited direction of the Finance Director, the Accountant maintains financial records of the City through year-end closing.</p> <ul style="list-style-type: none"> • Maintaining all financial records of the City through year-end closing as well as monthly financial statements and other periodic management information reports as requested. • Receiving and recording cash paid to the City. • Reviewing, coding, and preparing invoices for payment in a timely manner, avoiding late charges, taking all available discounts and ensures payments are charged to the appropriate accounts. • Provides outside auditors with assistance; gathers necessary account information and documents to perform annual audit. • Performs general cost accounting and other related duties in the accounting department. • Prepares periodic (monthly) balance sheets, income statements, and profit and loss statements. • Maintaining general ledger accounts and preparing journal entries. • Maintaining computer system and software and interfacing with software provider and system consultant. • Maintaining current knowledge of organizational policies and procedures, federal and state policies and directives, and current accounting standards. • Perform other duties as assigned by the Finance Director. 			



QUALIFICATIONS AND EDUCATION REQUIREMENTS

Knowledge and experience are needed for this position. Experience in municipal/government setting preferred. A Bachelor’s degree in Accounting is the minimum formal education required for this position. CPA and/or Certified Government Finance Officer preferred.

REQUIRED SKILLS/ABILITIES:

- Extensive knowledge of general financial accounting and cost accounting.
- Understanding of and ability to adhere to generally accepted accounting principles.
- Highly proficient with accounting software.
- Excellent organizational skills and attention to detail.
- Excellent written and verbal communication skills.
- Proficient in Microsoft Office Suite or similar software.

PHYSICAL REQUIREMENTS:

- Prolonged periods sitting at a desk and working on a computer.
- Must be able to lift up to 15 pounds at times.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

The statements noted above are intended to describe the general nature and level of work being performed and are not to be construed as a comprehensive list of responsibilities, duties and skills required. These statements are subject to change at the discretion of the employer.

Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed by:		Date:	
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Item 6B.

Approved by:		Date:	
City Manager Approval:		Date:	



Job Title:	Assistant to the City Manager		
Department/Group:	Office of the City Manager	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$64,002 - \$100,776	Position Type:	Full-Time
HR Contact:	Sean Lilly	Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line Assistant to the City Manager Attention: Human Resources - Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES			
<p>Under general supervision, this position serves as an integral member of the Executive Management Team responsible for providing leadership support to the City Manager by planning and recommending organizational policies and performance strategies; provides a variety of specialized complex administrative and management analysis to support decision-making and strategic direction. Reports to the City Manager.</p> <p>Participates with City Manager in framing Council’s vision and strategies for accomplishing organizational initiatives. Represents and supports the City Manager with City Council, employee and citizen group discussions and meetings. Monitors the pending items list, and keeps the City Manager informed about projects and issues of importance to Council. Provides the City Manager with accurate and timely information to support decision-making and policy direction. Provides direct oversight of programs and operations of assigned departments including developing and coordinating of department budgets, administering expenditures for major programs and projects; responsible for effective human resources functions including employee relations, staff development; oversees and performs employee evaluations; administers human resources policies and procedures and determines appropriate personnel actions. Promotes innovation, critical thinking and creativity in developing approaches and solutions to City needs. Empowers all levels of staff to be proactive and participatory. Promotes, encourages and leads collaboratively in seeking new ways to share resources, ideas and best practices in order to optimize service delivery organization wide. Conducts research and special projects and assures implementation of programs developed and initiated by the Mayor and City Council. May direct the development of programs to address citizen needs to include citizen involvement. Coordinates with Department Heads or other appropriate parties</p>			

to respond citizen inquiries. Conducts complex and sensitive administrative, operational, and management analyses, studies, and research projects including those involving City-wide issues, programs, policies, and procedures; selects, adapts, and applies appropriate research and statistical techniques; gathers and analyzes data and information from various sources on a variety of specialized topics. Attends City Council meetings and work sessions; researches, responds to and prepares correspondence; performs necessary follow up and communicates with City management on sensitive and confidential issues. Performs other duties as assigned.

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- Schedules appointment for and with the City Manager; schedules and coordinates meetings with department heads, elected officials, legislators, business leaders, vendors, contractors and citizens of the community, keeping the City Manager's calendar current/
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- When appropriate, provides information pertaining to City operations, policies, procedures and other similar information; may refer inquiries to other City staff and/or officials as appropriate.
- Coordinates and provides interdepartmental liaison functions, assists others and promotes positive communication with all staff.
- Relays instructions and information to Department Heads and other staff as directed by the City Manager.
- Establishes and maintains an efficient filing and records system for the City Manager's office including updating primary file index as necessary; maintains pending files with appropriate and timely follow-up procedures.
-
- Supervise Front Desk Admin, and the Volunteer Program.
- Acts as a liaison between the City Manager, Department Heads, other employees, elected officials and the general public by coordinating dissemination of information and responding to questions.
- Coordinates and prepares presentations for awards, and certificates of appreciation; notifying recipients as necessary.
- Attends meetings with City Department Heads, Board of Commissioners or other appointed boards, including staff conferences. May be called to represent the City Manager as necessary and when required regarding issues with staff and the community.
- Receives, sorts and distributes all mail arriving in the Manager's office; may compose responses to all routine correspondence requiring the City Managers signature.
- Develops spreadsheets, databases, brochures, post cards and PowerPoint presentations for the Managers office.
- Prepares purchase orders and purchase requisitions for special projects, daily purchasing activity and within the City Managers FY budget.
- May serve as the recording secretary for various city meetings and functions held during normal working hours as well as evenings.



- Utilizes basic and advanced computer system programs to prepare reports, letters, memos, directives, correspondence, confidential reports, manuals and other paperwork related to the operation of the City Manager’s office.
- Demonstrates thorough knowledge of all the City’s personnel policies and procedures.
-
- Reviews, tracks, and documents compliance with mandatory and non-mandatory training, continuing education, and work assessments. This may include safety training, anti-harassment training, professional licensure, and aptitude exams and certifications.
- Recruits, interviews, and facilitates the hiring of qualified job applicants for open positions; collaborates with departmental managers to understand skills and competencies required for openings.
- Conducts or acquires background checks and employee eligibility verifications.
- Implements new hire orientation and employee recognition programs.
- Performs routine tasks required to administer and execute human resource programs including but not limited to disciplinary matters; disputes and investigations; performance and talent management; productivity, recognition, and morale; occupational health and safety; and training and development.
- Handles employment-related inquiries from applicants, employees, and supervisors, referring complex and/or sensitive matters to the appropriate staff.
- Attends and participates in employee disciplinary meetings, terminations, and investigations.
- Maintains compliance with federal, state, and local employment laws and regulations, and recommended best practices; reviews policies and practices to maintain compliance.
- Maintains knowledge of trends, best practices, regulatory changes, and new technologies in human resources, talent management, and employment law.
- Additional duties as assigned

QUALIFICATIONS AND EDUCATION REQUIREMENTS

This position requires an Associate’s Degree in Public Administration, Business Administration, or related field of study and or a minimum of 5 years executive secretarial experience, with prior work experience as direct staff support to executive level personnel in government/public sector employment.

- Public Administration – Thorough knowledge of government policies specifically related to strategic planning, organizing, directing, and coordinating local government operations.
- Management of Personnel— Knowledge of leadership techniques, principles and procedures to assign work, schedule, supervise, train and evaluate the work of assigned staff. Knowledge of personnel recruitment, selection, and the use of human resources information systems.
- Customer Service — Thorough knowledge of principles and processes for providing customer services. This includes setting and meeting quality standards for services, and evaluation of customer satisfaction.



- Technology — Knowledge of office electronic equipment, and computer hardware and software

PREFERRED SKILLS

Ability to effectively communicate, both orally and in writing. Ability to use a computer keyboard, other pieces of standard office equipment and the telephone. Ability to sit for long periods, bend, stoop, lift to twenty pounds. Other important skills required include:

- Judgment and Decision Making – Uses logic and reasoning to analyze, understand, and evaluate complex situations. Identifies the strengths and weaknesses of alternative approaches or solutions, to a situation. Exercises appropriate judgment in establishing priorities. Considers the relative costs and benefits of potential actions.
- Interpersonal Relationships – Develops and maintains cooperative and professional relationships with employees, citizens, community and private organizations, elected officials, boards and commissions. Handles all interactions with poise, tact and diplomacy.
- Critical Thinking — Uses logic and reasoning to understand, analyze, and evaluate complex situations and researches information to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to the situation. Applies general rules to specific problems to produce answers that make sense. Combines pieces of information to form general rules or conclusions (includes finding a relationship among seemingly unrelated events).
- Management of Personnel Resources — Manages own time and the time of others. Monitoring/Assessing performance of other individuals, or the organization to make improvements or take corrective action. Motivating, developing, teaching and directing people as they work, identifying the best people for the job.
-

ADA COMPLIANCE:

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Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Item 6B.



Job Title:	Assistant Finance Director		
Department/Group:	Finance	Supervisor:	Finance Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$90,043 - \$135,054	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Executive Assistant to the City Manager Attention: Human Resources - Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES			
<p>MANAGE THE DAY TO DAY OPERATIONS OF THE FINANCE DEPARTMENT, INCLUDING THE FOLLOWING:</p> <ul style="list-style-type: none"> • Perform daily cash reconciliations and complete monthly bank recons • Initiate debt service payments and record debt-related journal entries • Complete month end closing process each month, including reviewing transaction activity, evaluating ending balances, and recording applicable accrual entries and other journal entries as necessary • Assist the Finance Director with year end closing and audit preparation activities • Assist the Finance Director with fund and department revenue and expenditure estimates for the budget preparation process and eventual adoption of the annual operating and capital budget • Provide ongoing management, oversight, training and support to the Accountant and Payroll/Financial Coordinator • Perform other tasks and functions within the Finance Department, as needed 			
QUALIFICATIONS AND EDUCATION REQUIREMENTS			
<p>This position requires a Bachelor's in Accounting, CPA preferred (but not required), and 3-5 years local government accounting experience. Proficient in the use of personal computer systems using Word, Excel, Power Point, Publisher, Adobe Illustrator, Access and other similar programs is also expected.</p>			
PREFERRED SKILLS			



Ability to effectively communicate, both orally and in writing. Ability to use a computer keyboard, other pieces of standard office equipment and the telephone. Ability to sit for long periods, bend, stoop, lift to twenty pounds. Other important skills required include:

- Advanced independent judgment, initiative and organization in routine and non-routine situations which occur.
- Perform all work with the highest level of efficiency, flexibility and accuracy in meeting strict deadlines under a high level of pressure.
- Communicate effectively with others, both in person and over the telephone, in a professional, clear and concise manner.
- Maintain composure during emergency situations.
- Handle sensitive information in a confidential and discrete manner.
- Compose clear and concise correspondence, memorandums, reports, and other documents as required.
- Organize, file, and retrieve volumes of written materials.
- Must be capable of dealing with a variety of citizens in a professional, cheerful, and effective manner and conveying the pertinent information to the appropriate City officials.

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Broadcast Technician and Help Desk		
Department/Group:	City Manager’s Office	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00 – \$28.00/hour	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>This position is our frontline in-house Help Desk and is responsible for providing technical support for city staff and hosting the live stream broadcasting of all Commission Meetings and other required public meetings. This position will work with our outsourced information technology group to ensure seamless operations as much as possible, while assisting remotely and/or on-site from initial contact through troubleshooting and research to final problem resolution.</p> <ul style="list-style-type: none"> • Responsible for initial assessment, triage, research, and resolution of basic incidents and requests regarding the use of hardware and software products and/or infrastructure components. • Responsible for collecting information, accessing support tools, and additional support staff (service resources) if needed. • Other duties as assigned. <p>QUALIFICATIONS AND EDUCATION REQUIREMENTS</p> <ul style="list-style-type: none"> • A high school diploma or GED is required. • The applicant must also possess a valid Florida Driver’s License or be able to obtain one upon employment. • 2+ years of Help Desk support experience desired but not required. • 2+ years of Customer Service experience desired but not required. • 2+ years of Live Meeting audio and visual broadcasting/streaming desired but not required. 			



PREFERRED SKILLS

The following skills are necessary to perform this position:

- Strong customer service orientation and proven organizational and interpersonal skills.
- Microsoft Windows Operating system
- Microsoft Office applications (Outlook, Word, Excel, PowerPoint)
- Basic network support and understanding of network technologies (LAN, WAN, wireless)
- Computer hardware support and troubleshooting issues with laptops, desktops, and printers.
- Printer support setup and troubleshooting printer issues.
- Live Streaming A/V Support

PHYSICAL / WORKING REQUIREMENTS

- This position will take place at City Hall and will mostly be at the City Manager’s office and may need to provide on-site support at different locations throughout the city. Position is required to be able to lift or carry items up to 75 pounds.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Building Official		
Department/Group:	Building Department	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:		Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR Humanresources@madeirabeachfl.gov Subject Line: Building Official Attention: Recruiting or Human Resources Department		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Highly responsible managerial, professional, and technical position involving all phases of permitting for all new construction, building modifications, and other municipal codes as described in Florida Statutes. Activities involve the responsibility for formulating and implementing the technical details and phases of general building codes for the development of the community. Work involves complete plan reviews and field inspections to ensure compliance with site plans, electrical, mechanical, plumbing, and structural codes. The incumbent works to assure that all interactions with contractors, architects, engineers, property owners and the general public are handled with professional tact and courtesy. Work requires the use of wide independent judgment within established codes, enforcement standards and practices and other related City policies and procedures. The person in this position is solely accountable for the fulfillment of all duties and authority commensurate with assigned responsibilities. During occasions of local emergencies, this position shall be required to perform emergency tasks which may result in extended work hours as well as extended periods of time away from family members.</p> <ul style="list-style-type: none"> • Assists in the overall management of the Building Department • Supervises the Permit Technician/Associate Planner • Coordinate and manage the new Rental Inspection Program • Maintains open communication and close coordination with City departments/divisions • Keeps abreast of legislation related to development and planning issues 			

- Practices and enforces all department/division policies and procedures and the City's Personnel Policies and Procedures
- Directs and supervises subordinates engaged in permitting, plan review and inspection of buildings in process of construction
- Assists in preparation and submission of estimated budgets
- Coordinates certification and training of inspectors, plans examiners and permit analysts; creates power point presentations
- Assists and implements plans, policies and procedures
- Manages the day-to-day departmental operations of the plan review division; oversees commercial project management program; supervises employees; confers with and interprets code requirements for builders, contractors, architects, engineers and other interested parties
- Checks zoning and setback requirements for proposed residential structures
- Makes flood elevation determinations
- Presents complaints and appeals to the Building Code Board of Adjustments and Appeals;
- Examines plans, sketches and specifications for adherence to established codes and requirements
- Recommends code revision as necessary
- Reviews and edits plan review comment letters
- Investigates public complaints and resolves more difficult public relations problems
- Makes recommendations for corrections or removal as indicated
- Performs inspections and plan reviews as may be required
- Answers questions relating to building codes and ordinances, over the phone or in the field
- Files affidavits of complaints, against violations of codes and laws when violations are deemed intentional
- Evaluates performance of office personnel; utilize computer skills
- Performs related duties as required.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Graduation from a regionally accredited college or university with an Associate's Degree in Building Construction Sciences, Architecture, Engineering, or a related field. Minimum of ten (10) years of documented experience as an architect, engineer, plans examiner, building code inspector, registered or certified contractor, or construction superintendent or a combination of education and experience with at least five (5) years of such experience in a supervisory capacity. Ability to supervise personnel engaged in all of the activities of the Section. Ability to study, analyze, and present programs and ideas clearly and consistently, both orally and in writing. Ability to speak to and work with public groups and civic organizations and build a consensus. Ability to project a positive, professional image. Knowledgeable in the methods and procedures of supervision and management as required to oversee a small work group and its operating functions. Ability to think clearly and use independent judgment in routine and non-



routine situations which may occur. Ability to apply analytical skills for all related activities and interprets data for making effective decisions.

PREFERRED SKILLS

Must meet the requirements of the International Code Council (ICC) as a Certified Building Official and be licensed by the State of Florida as a Building Code Administrator per Florida Statutes Chapter 468, Part XII. Incumbent employee must keep all certifications current and meet any changes as they may occur from time to time. Must possess a valid Florida driver license, must be a Certified Flood Plain Manager, and have worked in a Coastal Community with FEMA knowledge.

ADDITIONAL NOTES

ESSENTIAL PHYSICAL SKILLS

Ability to communicate, both orally and in writing. Ability to utilize all tools, equipment, etc. necessary in carrying out the functions of this position. Job tasks require occasional lifting and carrying of heavy weights (45 pounds and over), climbing, good vision, good hearing, ability to distinguish odors, ability to walk, drive vehicles, working in confined spaces, crawl, stoop, push, pull and work on unsteady surfaces among others. Ability to utilize a computer and the related software programs in use by the Section and/or as may be required by the City.

ENVIRONMENTAL CONDITIONS

A considerable amount of time is spent working in an office environment. Work is also performed outside and at construction sites in varying conditions and temperatures.

ADA COMPLIANCE:

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AA/EOE/DFWP



Item 6B.

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Certified Permit Technician		
Department/Group:	City Manager's Office	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 – \$28.00/hour	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under general supervision of the Building Department Supervisor, participates in front counter operations, accepts, reviews and processes permit applications, “issues” building permits for all residential and commercial building projects. Develops and maintains a working relationship with contractors, developers, consultants, and residents to achieve compliance with all federal, state, county and city codes and ordinances.</p> <ul style="list-style-type: none"> • Processes permit applications and building plans for new commercial and residential projects. • Reviews applications for completeness and accuracy. • Distributes multiple plans to departments for review. • Examines contractor submitted plans to check for completeness and compliance with Florida building codes, city ordinances and FEMA compliance. • Assists in completing permit applications by explaining and advising in matters related to building permit requirements. • Accepts cash and credit card payments. Verifies cash and credit card reports are in compliance with the accounting system and generates a daily deposit report. • Answers permitting inquiries in person, by email and telephone. • Enters application requests into the MUNIS software program. • Verifies contractors/subcontractors are registered with the City and County. 			

- Provides customer service, which includes greeting customers, answering phones, responding to requests for information or service and performing other related activities or duties as assigned.
- Calls customers to notify them of inspection results and completed permits.
- Supplies Building Supervisor with monthly reports, cash reports, permits activity, etc.
- Related work and/or other duties as required.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Minimum three (3) years' experience as a Certified Permit Technician in a State, County and/or Municipal Building Department involving extensive public contact. Adheres to the processes and procedures associated with construction permits; record management practices; general office operations; familiarity with building code and construction terminology.

Preferably, the Building Permit Technician requires possession of, or ability to obtain within three (3) months of appointment, a Permit Technician Certification from the International Code Council.

Possession of a valid Florida Driver's License.

PREFERRED SKILLS

The following skills are necessary to perform this position:

- Strong customer service and proven organizational and interpersonal skills.
- Experience working in a building department, construction or related field.
- Ability to read and understand reference books and manuals such as; building code books, blueprints, etc.
- Must have a basic knowledge of building codes, ordinances, terminology, construction techniques, etc.
- Ability to communicate effectively with the public and other city employees by oral and written means.
- Ability to establish and maintain effective working relationships with architects, contractors, public officials, co-workers and members of the general public.
- Ability to work independently in the absence of supervision.
- Skills in organizing and prioritizing workload.
- Must be detail oriented.
- Knowledge of M/S Word and Excel software and other basic computer programs.
- Knowledge of Muni-code and BMS a plus.
- Knowledge of basic paper and electronic filing principles and practices.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some



accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Community Development/ Planning Engineer		
Department/Group:	Community Development	Supervisor:	Community Development Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$90,043 - \$134,054/ Annually	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Community Development Engineer Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>This engineering position requires broad professional engineering experience combined with overall knowledge of municipal planning, land development and permitting. Typical functions are similar to those of a City Engineer but with the expectation of broader participation in planning, permitting, public works and the building department. This engineer will be knowledgeable of the FEMA compliance rules and regulations that the city adheres to and will participate in the city’s CRS requirements, working with city staff and residents alike. This position may supervise the Planning Technician, Planner I, Planner II, and Planner III.</p> <ul style="list-style-type: none"> • Performs advanced professional work related to a variety of engineering, permitting and planning assignments for all city departments including but not limited to Community Development, Public Works and Building. • Responsibilities include the review of residential and commercial permits, engineering design plans and specifications to determine compliance with City codes, FEMA and other applicable regulations. • Coordinate plan review with other City departments • The position requires a high degree of technical knowledge and ability to apply principles of engineering in coordinating efforts to assist in proper land development. • Assist in review and processing of complex comprehensive plan amendments, rezonings, potential development projects, site plans and plats. 			

- Coordinates plans, special studies, contracts, design and functional requirements with municipal departments and outside sources, such as contractors, engineering firms and governmental agencies.
- Assist in development and presentation of amendments to the Land Development Regulations as needed.
- Prepare information for and present at community workshops and public meetings.
- Works in regional program areas relating to floodplain management, community development, hazard mitigation and others.
- Performs field inspections to gather data relevant to the development review process and/or to verify that development projects comply with approved plans.
- Conducts meetings with residents, developers, architects, and contractors on projects and potential projects.
- Presents reports and other findings to staff, planning and zoning boards and commissions, and elected officials and serves as liaison.
- Attends some evening and weekend meetings.
- Serves as Certified Floodplain Manager for the City.
- Participates in preparation of standards, policies, regulations, and ordinances.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Bachelor's Degree in Civil Engineering or related engineering field; and six (6) years of municipal engineering experience; or an equivalent combination of education and experience
- Must be a Registered Professional Engineer in the State of Florida
- Must be a Certified Floodplain Manager (CFM)
- Possession of a valid, State of Florida driver's license to operate a motor vehicle
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors and City staff
- Present proposals and recommendations clearly, logically, and persuasively in public meetings
- Represent the City's interests in negotiations and other dealings on a variety of difficult, complex, sensitive and confidential issues
- Use sound judgment when making decisions, interpretations, and in communications with others
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some



accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	City Clerk		
Department/Group:	Office of the City Clerk	Supervisor:	Board of Commissioners
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$90,043 – \$124,880 <u>135.054 yr</u>	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 391-1131 OR humanresources@madeirabeachfl.gov Subject Line: City Clerk Attention: Human Resources - Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>The City Clerk is a Charter Officer appointed by the Board of Commissioners and serves at its pleasure. The City Clerk is responsible for administering the legislative affairs of the City and ensuring that all federal, state, county, municipal laws and regulations are observed. The City Clerk is the municipal secretary; secretary to the Board of Commissioners; secretary ex-official for the Civil Service Commission; elections official; supervisor of election; custodian of the City Seal with the authority to execute and emboss documents to authenticate the validity of city records; Records Management Liaison Officer with the State of Florida; the official Custodian of all City records within the boundaries established by Florida State Statutes, City Charter, and the City’s Code of Ordinances and ensuring their safety; records manager overseeing the City’s Records Management Program, performing certification and recording of the city as required, and coordinating record management efforts and training in each department; and Financial Disclosure Coordinator with the State of Florida Commission on Ethics.</p> <p>Other responsibilities include the following:</p> <ul style="list-style-type: none"> • Elections Official: administers Federal, State, and Local procedures in assisting candidates in meeting their legal responsibilities before, during and after an election. From Election pre-planning to certification of election results and filing of final campaign disclosure documents. • Supervisor of Elections/Qualifying Officer: Follows Elections procedures in accordance with the Florida Elections Commission to determine whether a candidate is 			

[Type here]

- qualified to run for mayor or district commissioner.
- Executes and emboss documents to authenticate the validity of City records: ordinances, resolutions, and contracts, easements, deeds, bonds or other documents requiring City Certification.
 - Performs certification and recording for the City as required on legal documents.
 - Responsible for the City's records management program, records retention, archiving, storage, distribution, and destruction of documents in accordance with the Florida Statutes, and coordinates record management efforts and training in each department.
 - Receives, processes, and responds to public records requests in compliance with Florida Public Records Law (F.S. Ch. 119) and maintains a public records requests tracking system.
 - Attends meetings of the Board of Commissioners, Charter Review Committee, and Civil Service Commission and other meetings as directed, records the meetings, and transcribes the minutes.
 - Maintains records indexing system to include action taken by the Board of Commissioners. Oversees and assists in the preparation of agenda packets for Board of Commissioners, Charter Review Committee, and Civil Service Commission, including coordination and review of material.
 - Prepares public notices for meetings of Board of Commissioners, Charter review Committee, and Civil Service Commission.
 - Writes and prepares ordinances and resolutions for the City Clerk's Office.
 - Authenticate by signature and record in full in a book kept for the purpose, all ordinances and resolutions.
 - Attends Department Head Meetings.
 - Manages the City's Code of Ordinances, codification of ordinances, and distribution of supplemental updates to the City Charter, Code of Ordinances, and Land Development Code.
 - Improves the Office of the City Clerk through improved electronic software and web-based programs.
 - Administers Oath of Office in accordance with State Law.
 - Manages appointments to city boards and maintains membership Roster.
 - Provides notary services in relation to official business of the city.
 - Prepares and advertises public hearing legal notices for ordinances, resolutions, elections, and board vacancies.
 - Assists with advertises prepared TRIM notices, RFQ's, RFP's, and zoning change notices received by other departments.
 - Schedules registrations and reservations for the Board of Commissioners.
 - Manages Board of Appreciation Dinner and other special events related to the City Clerk's Office and Board of Commissioners and makes all necessary accommodations and preparations.
 - Schedules speakers to conduct training on Sunshine Law, Ethics Law, Public Records Law, and other type of training related to the City Clerk's Office and Board of Commissioners and makes all necessary accommodations and preparations.
 - Communicates with the public, City departments and outside agencies in conjunction

with the above legislative process as well as on other issues involving the mission of the City Clerk’s Office.

- Performs other duties required by the Board of Commissioners, City Manager, City Charter, and City Code.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Per City Charter, Sec. 5.2, this position is appointed on the basis of executive, professional, and administrative qualifications with special reference to actual experience in, or knowledge in respect to the duties of the City Clerk’s office. This position requires certain certifications. The City Clerk must be a member and maintain membership in good standing of the International Institute of Municipal Clerks (IIMC) and the Florida Association of City Clerk (FACC), and be a Certified Municipal Clerk through IIMC, and maintain certification in good standing. Educational requirements include a high school diploma (or GED equivalent) with course work in word processing and related office procedures, continuous education and training from the IIMC and FACC, public records and election training, graduation from a four (4) year college with bachelor’s Degree or Master’s Degree in public administration, business management, records management, political science, paralegal science or related general management field, and five (5) years increasingly responsible experience as City Clerk.

PREFERRED SKILLS

This position requires a person who is committed to excellence and a passion for public service; possesses the essential knowledge, abilities, attitudes, skills, and habits to get the job done; conducts oneself according to all the City’s values and performs to the highest performance standards; prioritizes and organizes tasks and completes them in the appropriate time frame; follows through with a plan or task; performs with integrity and adhering to the highest standards; demonstrates good written, verbal, and listening skills; demonstrates a positive approach toward work goals and duties; interacts professionally with the public, elected officials, staff members, and other agencies; and possesses the knowledge in the areas of federal, state, county, municipal laws and regulations. This position also requires being well-versed in Microsoft Office and document creation and revision.

ADA COMPLIANCE:

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Item 6B.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Code Compliance Officer III		
Department/Group:	Building Department	Supervisor:	Director/Building Official
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 - \$27.00/hour	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL:	
Subject Line: Bldg. Code Compliance Officer III		City of Madeira Beach	
Attention: Human Resources – Recruiting		300 Municipal Drive	
		Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES:			
<p>The Code Compliance Officer II is a specialized position which is complaint driven requiring pro-active field and office work investigating and enforcing codes/ ordinances dealing with the general public. This position develops and maintains a working relationship with contractors, property owners, residents and tenants to achieve compliance with all federal, state, county and city codes, and ordinances. An incumbent in this class investigates situations for regulatory violations, verifies compliance or non-compliance and drafts and delivers fine citations. Duties of this position include providing assistance and education to the public on ordinance compliance requirements. The incumbent reports to the Department Director/Building Official.</p>			
<ul style="list-style-type: none"> Processes rental inspection applications including scheduling inspections, processing completed inspection reports to the property owners and scheduling follow-up inspections, etc. Reviews for completeness and accuracy. Logs applications information or data into spreadsheet for review. Assists and advises general public in matters relating to building code requirements and status or the process of code compliance concerns including rental inspection program. Answers inquiries in person and by telephone from the public concerning: rental inspections, stop work orders, code compliance concerns, life & health safety codes, etc. Provides customer service, which includes greeting customers, answering phones, responding to requests for information or service and performing other related activities or duties as assigned. 			



- Supplies Building Official with monthly reports, code concerns, rental inspection activity, etc. as needed.
- Maintains various administrative records in compliance with records retention requirements.
- Electronic scanning and archives inactive building department records and plans.
- Provides coverage or back-up for the Permit Tech as required.
- Performing Administrative day to day tasks such as maintaining information files, scanning documents and processing paperwork.
- Takes code complaints from residents, contractors, deputies.
- Data entry/record retention for both rental inspection program and building code compliance.
- Acting as clerk for Building Code Hearings and recording minutes as needed.
- Maintains a re-inspection data sheet for continued monitoring of both rental inspections and building code compliance concerns.
- Maintains scheduling and planning for meetings, answering phone calls, and coordinating emails
- Answer questions for employees and general public to inform them of remedies or solutions to their complaints and/or problems.
- Conserve time by researching and routing correspondence, drafting letters and documents, and collecting and analyzing information.
- Related work and/or other duties as required.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Minimum three (3) years' experience in regulatory compliance and enforcement in a State, County and/or Municipal building department involving extensive public contact; processes and procedures associated with record management practices; general office operations; familiarity with building and property maintenance codes, construction, zoning and code enforcement terminology. The Building Code Compliance Officer III requires possession of Permit Technician Certification and Code Enforcement Certification from the (ICC) International Code Council. Valid Florida Driver's License

PREFERRED SKILLS

The following skills are necessary to perform this position:

- Strong customer service orientation and proven organizational and interpersonal skills.
- Experience working in an office environment preferably in a building department or related field.
- Ability to read and understand reference books and manuals such as; building and code enforcement books, property maintenance codes, life & health safety codes, etc.
- Must have a basic knowledge of building codes, rental inspection, code enforcement, city ordinances, terminology, construction techniques, etc.
- Ability to communicate effectively with the public and other city employees by oral and written means.



- Ability to establish and maintain effective working relationships with CPO’s, contractors, public officials, property owners, co-workers and members of the general public.
- Ability to work independently in the absence of supervision.
- Skills in organizing and prioritizing workload.
- Must be organized and detail oriented including planning or scheduling work to be performed
- Ability to operate a variety of office equipment including, but not limited to telephone, fax machine, personal computer, large scanner, postage machine and copier.
- Knowledge of M/S Word and Excel software and other basic computer programs.
- Knowledge of Municode, Munis and BDMS a plus.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

The statements noted above are intended to describe the general nature and level of work being performed and are not to be construed as a comprehensive list of responsibilities, duties and skills required. These statements are subject to change at the discretion of the employer.

Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

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300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
		Date:	
Last Updated By:		Date:	



Job Title:	Code Compliance I		
Department/Group:	Building Department	Supervisor:	Director/Building Official
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$16.00 - \$ 20.00/hr	Position Type:	Part-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>The Code Compliance Officer II is a specialized position which is compliant driven requiring pro-active field and office work investigating and enforcing codes/ordinances dealing with the general public. This position develops and maintains a working relationship with contractors, property owners, residents, and tenants to achieve compliance with all federal, state, county and city codes, and ordinances. An incumbent in this class investigates situations for regulatory violations, verifies compliance or non-compliance and drafts and delivers fine citations. Duties of this position include assisting and educating the public on ordinance compliance requirements. The incumbent reports to the Department Director/Building Official.</p> <ul style="list-style-type: none"> • Processes rental inspection applications including scheduling inspections, processing completed inspection reports to the property owners and scheduling follow-up inspections, etc. Reviews for completeness and accuracy. Logs applications information or data into spreadsheet for review. • Assists and advises the public in matters relating to building code requirements and status or the process of code compliance concerns including rental inspection program. • Answers inquiries in person and by telephone from the public concerning: rental inspections, stop work orders, code compliance concerns, life & health safety codes, etc. • Provides customer service, which includes greeting customers, answering phones, responding to requests for information or service and performing other related activities or duties as assigned. • Supplies Building Official with monthly reports, code concerns, rental inspection activity, etc. as needed. 			

- Maintains various administrative records in compliance with records retention requirements.
- Electronic scanning and archives inactive building department records and plans.
- Performing Administrative day to day tasks such as maintaining information files, scanning documents and processing paperwork.
- Receives code complaints from the public and notifies any state or local agency as required.
- Data entry/record retention for both rental inspection program and building code compliance.
- Maintains a re-inspection data sheet for continued monitoring of both rental inspections and building code compliance concerns.
- Maintains scheduling and planning for meetings, answering phone calls, and coordinating emails.
- Answer questions from employees to the public to inform them of remedies or solutions to their complaints and/or problems.
- Conserve time by researching and routing correspondence, drafting letters and documents, and collecting and analyzing information.
- Related work and/or other duties as required.

Qualifications and Education Requirements

Entry level experience in regulatory compliance and enforcement in a State, County and/or Municipal building department involving extensive public contact; processes and procedures associated with record management practices; general office operations; familiarity with building and property maintenance codes, construction, zoning, and code enforcement terminology.

The Building Code Compliance I: Requirement within (12) months of appointment:

- Code Enforcement/International Property Maintenance and Housing Inspection Certificate
- Stormwater Management Inspector Certificate (DEP)
- Valid Florida Driver's License

PREFERRED SKILLS

The following skills are necessary to perform this position:

- Strong customer service orientation as well as proven organizational/ interpersonal skills.
- Experience working in an office environment preferably in a building department or related field.
- Ability to read and understand reference books/ manuals such as building and code enforcement books, property maintenance codes, life & health safety codes, etc.
- Must have a basic knowledge of building codes, rental inspection, code enforcement, city ordinances, terminology, construction techniques, etc.
- Ability to communicate effectively with the public and other city employees by oral and written means.

- Ability to establish and maintain effective working relationships with Community Policing Officers, contractors, public officials, property owners, co-workers, and members of the public.
- Ability to work independently in the absence of supervision.
- Must be organized and detail oriented including planning or scheduling work to be performed.
- Ability to operate a variety of office equipment including telephone, fax machine, personal computer, large scanner, postage machine and copier.
- Knowledge of Microsoft Word and Excel software and other basic computer programs.
- Knowledge of Municode, Munis a plus.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Community Development Director		
Department/Group:	Community Development	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$90,043 – \$124,880	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	

Applications Accepted By:

FAX OR E-MAIL: (727) 399-1131 OR
humanresouces@madeirabeachfl.gov

Subject Line: Community Development Director
Attention: Recruiting or Human Resources Department

MAIL:
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

Job Description

ROLE AND RESPONSIBILITIES

The Community Development Department’s overall mission is to maintain the unique beach community character while working toward a vision in the direction of improved land and water uses. The planning process is intended to improve the health, safety and welfare of the City.

The Community Development Director is responsible for managing a wide range of services related to the physical and economic development of the City. The Community Development Director supervises the city’s long range, current and strategic planning activities, zoning code compliance, affordable housing, capital improvements budgeting, facilities planning, environmental and floodplain management and economic development activities. This position supervises all planning and zoning code compliance staff and consultants and manages the budget and is responsible for personnel management and training of staff and consultants. This position includes responsibilities for coordination of multi-departmental planning and research activities along with grant writing and implementation.

The Community Development Director is responsible for supervising the coordination and implementing the Comprehensive Plan, land development reviews, site plan reviews, and floodplain administration reviews citywide through supervision of the Planning and Zoning staff and consultants and through coordination with the Building Department as part of the building permit and inspection process. Work involves coordination of the multi-departmental development review process, planning, research, implementation, promotion, and initiation of various programs, regulations, operations, and processes relating to adopted comprehensive plan



policy, related programs and initiatives of the city. Emphasis is placed on the harmonious neighborhood development and redevelopment, economic development opportunities and the careful management of natural resources. The work involves the review of potential development projects citywide, considerable public contact often of a sensitive nature, and requires the exercise of sound judgment, tact, and diplomacy.

The Community Development Director participates in the planning efforts of Pinellas County and serves on or assigns representation on the Planners Advisory Committee to the Pinellas Planning Council, is a member of the Pinellas County Local Mitigation Strategy Workgroup, and serves on other countywide advisory committees as necessary. The Community Development Director is responsible for the coordination of the City's Community Rating System (CRS) efforts relating to the National Flood insurance Program.

The Community Development Director reports to the City Manager and serves as staff liaison to the Board of Commissioners, and supervises or performs as the staff liaison to the Planning Commission, Special Magistrate for variance, special exception, administrative appeal cases, supports code enforcement cases as needed, and any other advisory committees that may be created over time. The Community Development Director provides support as assigned to the city's lobbyist and represents the city in intergovernmental initiatives and programs at all levels of government and performs other work as assigned.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Graduation from an accredited four-year college or university with major course work in city planning, urban design, or a closely related field; A Master's Degree in planning, urban studies, public administration, or a closely related field with six (6) years of progressively responsible experience in the supervision and management of planning and economic development programs.

- American Institute of Certified Planners (AICP) certification is desirable.
- Certified Floodplain Manager (CFM) certification is desirable.

PREFERRED SKILLS

- Extensive knowledge of municipal and State of Florida codes and ordinances
- Thorough knowledge of the principles and practices of City planning.
- Thorough knowledge of modern principles and practices of municipal planning, land use, municipal zoning regulations, and floodplain administration.
- Ability to prepare, revise, interpret, and enforce codes, ordinances, and regulations.
- Ability to present technical information, planning, and zoning reports clearly and concisely both orally and in writing.
- Ability to establish and maintain effective working relationships with employees, government and City officials, community leaders and organizations, and the general public as necessitated by the work.



KNOWLEDGE / SKILLS / ABILITIES:

- Ability to supervise, train, and evaluate effectively the work of subordinates.
- Ability to establish and maintain effective working relationships with the public and other City employees and subordinates.
- Ability to deal with the public effectively, courteously, and tactfully.
- Ability to analyze administrative problems, to make sound recommendations for solutions and to prepare effective work procedures.
- Ability to express oneself logically and concisely, orally, and in writing.

ADA COMPLIANCE:

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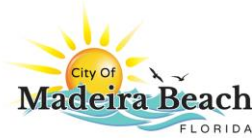
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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Code Compliance II		
Department/Group:	Building Department	Supervisor:	Director/Building Official
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00 - \$25.70	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
ROLE AND RESPONSIBILITIES			
<p>The Code Compliance Officer II is a specialized position which is compliant driven requiring pro-active field and office work investigating and enforcing codes/ordinances dealing with the general public. This position develops and maintains a working relationship with contractors, property owners, residents, and tenants to achieve compliance with all federal, state, county and city codes, and ordinances. An incumbent in this class investigates situations for regulatory violations, verifies compliance or non-compliance and drafts and delivers fine citations. Duties of this position include aiding and educating the public on ordinance compliance requirements. The incumbent reports to the Department Director/Building Official.</p> <ul style="list-style-type: none"> Processes rental inspection applications including scheduling inspections, processing completed inspection reports to the property owners and scheduling follow-up inspections, etc. Reviews for completeness and accuracy. Logs applications information or data for review and record retention. Assists and/or advises the public in matters relating to current building and/or maintenance code requirements including the status or process of code compliance concerns or the rental inspection program. Answers inquiries in person and by telephone from the public concerning: rental inspections, stop work orders, code compliance concerns, life & health safety codes, etc. Provides customer service, which includes greeting customers, answering phones, responding to requests for information and/or services and/or performing other related activities as assigned. 			



- Reviews monthly reports, code concerns, rental inspection activity, etc. with the Building Official.
- Maintains various administrative records in compliance with records retention requirements.
- As a team member, provides coverage for the Permit Tech as required.
- Performing Administrative day to day tasks such as maintaining information files, scanning documents and processing paperwork.
- Receives code complaints from public and notifies the state or local agencies as required.
- Data entry/record retention for both rental inspection program and building code compliance.
- Acting as clerk for Building Code Hearings and recording minutes as needed.
- Maintains a re-inspection data sheet for continued monitoring of both rental inspections and building code compliance concerns.
- Processes lien searches and maintains record retention.
- Maintains scheduling and planning for meetings, answering phone calls, and coordinating emails
- Conserve time by researching and routing correspondence, drafting letters and documents, and collecting and analyzing information.
- Related work and/or other duties as required.

Qualifications and Education Requirements

Minimum three (3) years' experience in code compliance and enforcement in a State, County and/or Municipal building department involving extensive public contact; processes and procedures associated with record management practices; general office operations; familiarity with building and property maintenance codes, construction, zoning, and code enforcement terminology.

The Building Code Compliance Officer II requires the following certifications within a 12-month period:

- Zoning Inspector Certification (ICC)
- International Property Maintenance Code and Housing Inspection Certification (ICC)
- Stormwater Management Inspector Certification (DEP)
- Valid Florida Driver's License

PREFERRED SKILLS

The following skills are necessary to perform this position:

- Strong customer service orientation and proven organizational and interpersonal skills.
- Experience working in an office environment preferably in a building department or related field.
- Ability to read and understand reference books and manuals such as building and code enforcement books, property maintenance codes, life & health safety codes, etc.
- Must have a basic knowledge of building codes, rental inspection, code enforcement, city ordinances, terminology, construction techniques, etc.



- Ability to communicate effectively with the public and other city employees by oral and written means.
- Ability to establish and maintain effective working relationships with deputies (CPO’s), contractors, public officials, property owners, co-workers, and members of the public.
- Ability to work independently in the absence of supervision.
- Skills in organizing and prioritizing workload.
- Must be organized and detail oriented including planning or scheduling work to be performed
- Ability to operate a variety of office equipment including, but not limited to telephone, fax machine, personal computer, large scanner, postage machine and copier.
- Knowledge of M/S Word and Excel software and other basic computer software programs.
- Knowledge of Municode’s, Munis and BDMS a plus.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

ADA COMPLIANCE:

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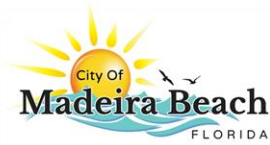
AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	



Last Updated By:		Date:	
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Job Title:	Executive Assistant to the City Manager		
Department/Group:	Office of the City Manager	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$24.00 - \$34.00 hr.	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Executive Assistant to the City Manager Attention: Human Resources - Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>Role and Responsibilities</p> <p>This position entails responsible, diverse and highly advanced administrative/secretarial support duties relating to the operation and activities of the Office of the City Manager. The executive assistant is responsible for the organization and implementation of an administrative support system for the City Manager and organizes the activities and schedules of the office and the flow of information in accordance with the Managers priorities as set to meet goals and objectives. The City Manager assigns a variety of detailed tasks requiring the highest level of administrative support capability, advanced level of initiative and organization and independent judgment. Work entails dealing with political, confidential, and sensitive issues requiring a high degree of discretion and tact involving continual inter-departmental relations and extensive public contact. The incumbent in this position serves as a confidential employee. The scope and degree of responsibility requires a comprehensive working knowledge of the entire City organization. The nature of the position requires the performance of numerous other secretarial and clerical tasks such as word processing, answering telephones, processing mail, copying, and filing, among others. The nature of the work also requires all work to be performed with the highest level of accuracy, and with the ability to meet strict deadlines while working under a high degree of pressure. Professional office attire is required i.e., dresses, skirts, suits, dress slacks, dress shoes. During occasions of local emergencies, this position shall be required to perform emergency tasks which may result in extended work hours as well as extended periods of time away from family members.</p> <p>The position also includes the following responsibilities and duties:</p>			

- Receives telephone calls for the City Manager in a professional and courteous manner; ascertains nature of business and handles those requesting routine information and as many other routine tasks as possible; directs remainder to appropriate official, department head, or other staff.
- Schedules appointment for and with the City Manager; schedules and coordinates meetings with department heads, elected officials, legislators, business leaders, vendors, contractors and citizens of the community, keeping the City Manager's calendar current/
- Make travel arrangements and schedules for the City Manager and others as appropriate; assures accommodations and all other aspects of travel needs in place and guaranteed.
- Receives the general public, officials of governmental and numerous other organizations, reporters and others in a professional and courteous manner.
- When appropriate, provides information pertaining to City operations, policies, procedures and other similar information; may refer inquiries to other City staff and/or officials as appropriate.
- Coordinates and provides interdepartmental liaison functions, assists others and promotes positive communication with all staff.
- Relays instructions and information to Department Heads and other staff as directed by the City Manager.
- Establishes and maintains an efficient filing and records system for the City Manager's office including updating primary file index as necessary; maintains pending files with appropriate and timely follow-up procedures.
- Prepares Board of Commissioners agenda packets, workshop materials and ensures accurate and timely submission of materials to be included by Department heads; tasks include accumulating, reviewing, sorting material, composing, copying and/or editing cover sheets and accompanying memoranda. Distributes packets to Mayor and Commissioners, City Manager, Department Heads, other staff and press as appropriate.
- Takes and transcribes dictation of highly confidential/sensitive material; prepares from rough drafts and composes letters and memoranda on computer for the City Manager and other officials as needed; ensures that all work is error free prior to finalizing for signature and distribution.
- Supervisors the Volunteers and the Volunteer program and Public Information Specialist duties.
- Acts as a liaison between the City Manager, Department Heads, other employees, elected officials and the general public by coordinating dissemination of information and responding to questions.
- Coordinates and prepares presentations for awards, and certificates of appreciation; notifying recipients as necessary.
- Attends meetings with City Department Heads, Board of Commissioners or other appointed boards, including staff conferences. May be called to represent the City Manager as necessary and when required regarding issues with staff and the community.
- Receives, sorts and distributes all mail arriving in the Manager's office; may compose responses to all routine correspondence requiring the City Managers signature.
- Develops spreadsheets, databases, brochures, post cards and PowerPoint presentations for the Managers office.

- Prepares purchase orders and purchase requisitions for special projects, daily purchasing activity and within the City Managers FY budget.
- May serve as the recording secretary for various city meetings and functions held during normal working hours as well as evenings.
- Utilizes basic and advanced computer system programs to prepare reports, letters, memos, directives, correspondence, confidential reports, manuals and other paperwork related to the operation of the City Manager's office.
- Demonstrates thorough knowledge of all the City's personnel policies and procedures.
- Processing timecards for City Manager's office.
- Performs other job-related duties that are consistent with the responsibilities of this position.
- Additional duties as assigned.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

This position requires an Associate's Degree in Public Administration, Business Administration, or related field of study and or a minimum of 5 years executive secretarial experience, with prior work experience as direct staff support to executive level personnel in government/public sector employment. Proficient in the use of personal computer systems using Word, Excel, Power Point, Publisher, Adobe Illustrator, Access and other similar programs is also expected.

PREFERRED SKILLS

Ability to effectively communicate, both orally and in writing. Ability to use a computer keyboard, other pieces of standard office equipment and the telephone. Ability to sit for long periods, bend, stoop, lift to twenty pounds. Other important skills required include:

- Advanced independent judgment, initiative and organization in routine and non-routine situations which occur.
- Perform all work with the highest level of efficiency, flexibility and accuracy in meeting strict deadlines under a high level of pressure.
- Communicate effectively with others, both in person and over the telephone, in a professional, clear and concise manner.
- Maintain composure during emergency situations.
- Handle sensitive information in a confidential and discrete manner.
- Compose clear and concise correspondence, memorandums, reports, and other documents as required.
- Organize, files, and retrieve volumes of written materials.
- Must be capable of dealing with a variety of citizens in a professional, cheerful, and effective manner and conveying the pertinent information to the appropriate City officials.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some



accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Job Title:	Executive Assistant to the City Clerk		
Department/Group:	Office of the City Clerk	Supervisor:	City Clerk
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$21.23 - \$33.43 hr.	Position Type:	Full-Time
HR Contact:	Sean Lilly	Date Posted:	
External Posting URL:	https://madeirabeachfl.gov/	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
ROLE AND RESPONSIBILITIES			
<p>This position requires highly advanced administrative support relating to the operation and activities of the Office of the City Clerk. The Executive Assistant is responsible for the administrative support system for the City Clerk. Organizes the activities and schedules of the office and the flow of information in accordance with set procedures. Ad hoc assignments containing detailed tasks requiring advanced level of initiative and organization and independent judgment. Work entails confidential, and sensitive issues requiring a high degree of discretion and tact. The nature of the work also requires all work to be performed with the highest level of accuracy, and with the ability to meet strict deadlines while working. During occasions of local emergencies, this position shall be required to perform emergency tasks which may result in extended work hours as well as extended periods of time away from family members.</p>			
The position also includes the following responsibilities and duties:			
<ul style="list-style-type: none"> • Manages the phones for the City Clerk in a professional and courteous manner; ascertains nature of business and handles those requesting routine information; directs remainder to appropriate staff. • Manages the City Clerks calendar schedules, coordinates meetings. Make travel arrangements and schedules for the City Clerk and Board of Commissioners • Receives the public, officials of governmental, reporters, and others in a professional and courteous manner. 			

- When appropriate, provides information pertaining to City operations, policies, procedures and other similar information; may refer inquiries to other City staff and/or officials as appropriate.
- Coordinates and provides interdepartmental liaison functions, assists others and promotes positive communication with all staff.
- Establishes and maintains the filing and records system for the City Clerk's office including updating primary file index as necessary; maintains pending files with appropriate and timely follow-up procedures.
- Assists in preparing agenda and election packets and Civil Service Commission.
- Takes and transcribes dictation of highly confidential/sensitive material; composes letters and memoranda for the City Clerk and other officials as needed; ensures work is error free prior to finalizing for signature/distribution.
- Acts as a liaison between the City Clerk, elected officials, and the public by coordinating dissemination of information and responding to questions.
- Coordinates and prepares presentations for awards, and certificates of appreciation, notifying recipients as necessary.
- Attends meetings with Board of Commissioners or other appointed boards, including staff conferences as directed by the City Clerk.
- Develops spreadsheets, databases, brochures, post cards and PowerPoint presentations.
- Prepares purchase orders and purchase requisitions for special projects, daily purchasing activity and within various budget.
- Assists with elections of Board of Commissioners and Civil Service Commission and transcribe various meetings.
- Utilizes basic and advanced computer system programs to process public records requests, invoices
- Performs other job-related duties that are consistent with the responsibilities of this position.
- Additional duties as assigned

QUALIFICATIONS AND EDUCATION REQUIREMENTS

This position requires an Associate's Degree in Public Administration, Business Administration, or related field of study or a minimum of 3 years executive level secretarial/paralegal experience. A Bachelor's Degree is preferred. Proficient in the use of personal computer systems using Microsoft Suite with the ability to learn new programs.

PREFERRED SKILLS

- Ability to effectively communicate, both orally and in writing.
- Advanced independent judgment, initiative and organization in routine and non-routine situations which occur.
- Perform all work at the highest level of efficiency, flexibility and accuracy in meeting strict deadlines under a high level of pressure.
- Communicate effective and professionally in person, over the telephone and in writing.
- Maintain composure during emergency situations.
- Handle sensitive information in a confidential and discrete manner.

- Compose clear and concise correspondence, memorandums, reports, and other documents as required.
- Organize, files, and retrieve volumes of written materials.
- Marketing and website/social media experience
- Ability to sit for long periods, bend, stoop, lift to twenty pounds.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

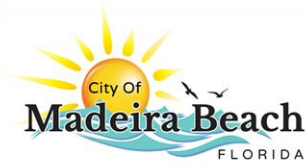
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Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed by:		Date:	
Approved By:		Date:	
Updated By:		Date:	



Job Title:	Executive Assistant to the Fire Chief		
Department/Group:	Fire Department	Supervisor:	Fire Chief
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$22.95 - \$27.00 hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Executive Assistant to the Fire Chief Attention: Human Resources Department			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the direction of respective Department Director or designee, the Executive Assistant to the Fire Chief provides clerical support to Fire Chief.</p> <ul style="list-style-type: none"> • Attends work as scheduled. • Answers multi-line telephone, routing calls, retrieving/taking and distributing messages, coordinating meetings and other activities. • Provides information and assistance to residents and other members of the public. • Enters data into complex specialized software programs and generating reports. • Reviews and makes sure all approvals for forms, documents, reports, purchase orders and other miscellaneous documents are complete. • Orders, researches, and obtains quotes and inventories supplies and equipment; prepares purchase orders and credit card statements for Department Director approval. • Prepare payroll records and maintain accruals bi-weekly. • Process invoices and receipts for appropriate charges are amounts. • Sorts and distributes incoming mail and preparing outgoing mail. • Maintains various administrative records in compliance with records retention requirements. • Performs complex secretarial tasks in an independent nature. • Other duties as assigned. 			



DEPARTMENT SPECIFIC ROLES AND RESPONSIBILITIES

- Assist with hiring process of fire fighters, advertising, application assessment, coordination of testing, scheduling interviews, verification of certifications, notifications to State and County.
- Assist with renewal of licenses of fire department members, ALS renewal, and maintenance of these records for State inspections.
- Process invoices and receipts for annual inspections and follow-up verifying appropriate charges are posted.
- Reconcile and make sure all credit card purchases are received and paid for.
- Responsible to coordinate schedule for maintaining equipment, tools, appliances, etc.
- Schedule and follow-up that all maintenance is completed regularly for pumps, hoses and hydrant testing, AED's, aerial & ground ladder testing, inspecting fire extinguishers, extrication tools, SCBA flow testing, breathing air compressor, IT equipment and 911 equipment.
- Schedule maintenance, purchasing parts and graphics for 3 apparatus, 2 vehicles and 2 light marine vessels.
- Responsible for choosing vendors, ordering, and obtaining best quality and pricing of equipment and uniforms.
- Maintaining semi-annual gear/uniforms evaluations and uniform room maintenance.
- Performs tasks in a confidential manner when necessary or requested
- Scheduling physicals, mask fit testing and packets.
- Assist with preparing annual budget.
- Scheduling coverage for special events
- Coordinating special events throughout the year, such as public education, CPR classes, 9-11 Ceremony, appearances of fire personnel and Clover the fire station dog, meet & greets, assisting with fundraising and wellness events.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Valid Florida Driver's License.
- A high school graduate (or GED Equivalent) with course work in related office procedures in required.
- Previous experience as administrative assistant or senior clerical with at least two years of experience in a position of responsibility.
- The applicant must have demonstrated the ability to perform job functions listed, either through related experience or specialized training.
- Customer and Personal Service – Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- Active Learning – Understanding the implications of new information for both current and future problem-solving and decision-making.



- Written Expression – The ability to communicate information and ideas in writing so others will understand.
- Special Recognition and Clarity – The ability to identify and understand the speech of another person and the ability to speak clearly so others can understand you.
- Near Vision – The ability to see details at close range (within a few feet of the observers).
- Problem Sensitivity – The ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing there is a problem.

PREFERRED SKILLS

- Experience in a position of high importance preferably in a fire department.
- Ability to remain calm and assist with communications during an emergency situation.
- Ability to be professional and maintain confidentiality at all times managing files and records, designing forms and other office procedures and terminology.

ADDITIONAL NOTES

- Physical Requirements - This job requires 85% of the workday sitting at a desk with 15% of the time spent walking, bending, stooping, twisting, turning, and occasionally lifting weight under 25lbs.
- Eye-hand coordination is required for the use of calculators, computers, fax and copy machines.
- Reasonable accommodation consideration will be made for otherwise qualified individuals as defined by the Americans with Disability Act.
- Environmental Features – This position requires working indoors in environmentally controlled conditions. May require accepting criticism and dealing calmly and effectively with high stress situations.
- Therefore it is imperative to maintain composure, keeping emotions in check, controlling anger, and avoiding aggressive behavior even in very difficult situations.
- This position requires being open to change (positive or negative) and to considerable variety in the workplace.
- Able to work overtime, civil defense recall and occasional weekend and holidays as required.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified



individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
 300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	

Job Title:	Front Desk Receptionist		
Department/Group:	City Manager's Office	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL		
Level/Salary Range:	\$\$18.00- \$24.95	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL:	
Subject Line:		City of Madeira Beach	
Attention: Human Resources – Recruiting		300 Municipal Drive	
		Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES			
The Receptionist will greet, assist, and provide direction and information to clients, visitors, and other guests of the organization.			
<ul style="list-style-type: none"> • Arrive on time, as scheduled, and unlock front door • Greet clients, visitors, and guests; determine the purpose of each person's visit and directs or escort them to the appropriate location. • Answer, screen, and direct phone calls to staff; take messages and schedule appointments when needed. • Check voicemail calls, return calls if able or route to department to handle. • Process resident and visitor parking passes. • Receives and date stamps all mail, receives packages, deliveries and distributes to each department. • Performs administrative and clerical support tasks, orders office supplies. • Performs other duties as assigned. • Close and lock front door at end of day. 			
REQUIRED SKILLS/ABILITIES:			
<ul style="list-style-type: none"> • Excellent verbal communication skills. • Excellent interpersonal and customer service skills. • Basic understanding of administrative and clerical procedures and systems. 			

- Proficient with Microsoft Office Suite or related software.

EDUCATION AND EXPERIENCE:

- High school diploma or equivalent required.

PHYSICAL REQUIREMENTS:

- Prolonged periods of sitting at a desk.
- Must be able to lift up to 15 pounds at times.

ADA COMPLIANCE:

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AA/EOE/DFWP

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300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



City of Madeira Beach Position Description

Job Title:	Fire Chief		
Department/Group:	Fire Department	Supervisor: City Manager	
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$90,043 - \$124,880 Annually	Position Type:	Full Time
HR Contact:	Human Resources Coordinator (727) 391-9951	Date Posted:	7/10/2020
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	7/17/2020
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Fire Chief Attention: Recruiting or Human Resources Department		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Highly responsible managerial, professional, administrative, and technical position representing the City of Madeira Beach involved in directing and controlling all phases of the City's Fire Rescue Department in an efficient and cost-effective manner with emphasis on employee relations and teamwork. Duties are performed in accordance with applicable laws, existing City and Departmental policies and procedures and Collective Bargaining Agreement with considerable latitude in decision making and the leadership of the Department. Duties are performed under the general and administrative direction of the City Manager. Required to carry a cellular phone on and off duty. The person in this position is solely accountable for the fulfillment of all duties and authority commensurate with assigned responsibilities.</p> <ul style="list-style-type: none"> • Represents the City at Municipal, County, and State meetings in areas of mutual aid, labor relations, and other fire rescue related subjects. • Works with other Department personnel, as necessary, to establish and enforce effective and efficient emergency scene tactical plans, emergency medical services, fire prevention activities and programs, community and public relations and education programs and activities, employee training programs, and disaster preparedness programs among others. 			



City of Madeira Beach Position Description

- Responsible for interviewing, training, motivating, evaluating, and disciplining employees of the Department.
- Responsible for recommending to the City Manager the hire, promotion, and termination of employees.
- Plans, organizes, evaluates, and directs Departmental policies, programs, and operations for the safe and efficient delivery of the comprehensive services provided by the Fire Rescue Department.
- Establishes Departmental goals and objectives; develops, implements, reviews, evaluates, and revises plans towards reaching the established goals and objectives.
- Provides the appropriate leadership, assistance, and direction to achieve teamwork among all Department employees to ensure that the best possible service is provided to the citizens and property owners within the Fire District and those areas where mutual aid agreements exist.
- Directs duties and assignments of others in such a way as to maximize employees' skills, knowledge, and abilities.
- Maintains a professional and effective working relationship with County, State, and Federal agencies, and employees.
- Must be willing to place themselves into Immediately Dangerous to Life and Health (IDLH) environments when necessary.
- May respond and assume command of any emergency or incident to ensure the safe and efficient mitigation of the incident with emphasis on the safety and well-being of all Department personnel, victims, and the public.
- Respond to fire scenes and participate in the fire investigation process with the fire inspector, state, and local officials.
- Manages the Department Emergency Management Plan.
- Attends seminars, conferences, and training courses; keeps abreast of technological advances relating to fire suppression, emergency medical services, and fire prevention activities.
- Participates in the Department's Physical Fitness Program.
- Performs public relations activities by speaking at public functions, responding to complaints, and/or inquiries from the general public, local businesses, news media, City officials, and other agencies, in writing, in person, and over the telephone regarding the activities and programs of the Fire Rescue Department.
- Directs personnel in a realistic, objective, and consistent manner.
- Ensures that all personnel management practices and actions are in compliance with the Fair Labor Standards Act, the City's Personnel Policies and Procedures, the Collective Bargaining Agreement, and other applicable State and Federal laws, rules, and regulations as may be in effect from time to time.
- Directs and assists in the development of and participates in promotional assessment procedures and practices.
- Practices and enforces Department Rules and Regulations, City Policies and Procedures and Collective Bargaining Agreement.



City of Madeira Beach Position Description

- Ability to manage and motivate assigned personnel to maximize the efficiency and effectiveness of the delivery of all services by the Department/Division and to promote team unity.
- Ensures Department/Division employees are cognizant of creating good public relations in the performance of their duties and perform their assigned tasks accordingly.
- On a bi-annual basis, objectively and consistently evaluates employees for efficiency and effectiveness utilizing the City's established Employee Performance Appraisal System or career counseling process.
- Tactical critiques, recommends and/or administers discipline.
- Assists in the development of and participates in promotion/assessment procedures and practices.
- Develops Strategically Tactical Plans for combat fire problems and critiques the techniques used to maintain their continued effectiveness.
- Performs quality assurance activities including monitoring the effectiveness of training programs by measuring outcomes, monitoring quality of service, and providing recommendations for improvement or the addition of new programs.
- Develops plans regarding disaster preparedness including hurricanes, hazardous materials, among others.
- Prepares activity reports, identifying accomplishments and future for the Department.
- Determines the training needs of assigned personnel.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Graduation from a regionally accredited college or university with a Bachelors' Degree in Fire Science, Public Administration, Business Administration, or ability to complete degree within four years of hire date. At least five years' experience in the Fire Service. Must be a non-smoking/non-tobacco using person, both on and off the job, for at least one year prior to the time of employment and maintain the same status throughout the term of employment. Shall successfully pass any Department administered or required written or oral examinations prior to employment.

PREFERRED SKILLS

Knowledge

- Extensive knowledge of the appropriate procedures and methods used in providing safety and comfort in the handling and treating of patients.
- Extensive knowledge of pre-hospital patient care for Basic and Advanced Life Support.
- Extensive knowledge of fire suppression and prevention methods, procedures, and techniques.

Abilities

- Establish and maintain effective working relationships with all employees within the Department, the Division, City Manager, and the general public as necessitated by the work.



City of Madeira Beach Position Description

- Communicate clearly and concisely, both orally and in writing.
- Organize and direct firefighting and emergency medical services of broad scope and complexity.
- Effectively and efficiently plan, assign, supervise, evaluate, and direct assigned personnel to maximize the efficiency and effectiveness of the delivery of services by the Department and to promote team unity.
- Use considerable independent judgment and discretion in routine and non-routine situations which may occur.
- Regulate and control firefighting and emergency medical programs, expenditures, and equipment.
- Apply analytical skills for all related activities and interpret data for making effective decisions, recommendations, reports, etc., among others.

ADDITIONAL NOTES

Excellent physical condition and the ability to pass a physical examination by the City's contracted physician as prescribed by the Florida Firefighters Standards Council.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Administrative Assistant		
Department/Group:		Supervisor:	
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$15.03 - \$24.95	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Administrative Assistant I Attention: Recruiting or Human Resources Department			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the direction of respective Department Director or designee, the Administrative Assistant provides clerical support to the respective City Department.</p> <ul style="list-style-type: none"> • Attends work as scheduled. • Answers multi-line telephone, routing calls, retrieving/taking and distributing messages, coordinating meetings and other activities. • Provides information and assistance to residents and other members of the public. • Proficient in word processing of correspondence, forms, documents, reports and similar text. • Responsible for entering data into complex specialized software programs and generating reports. • Responsible for filing correspondence, forms, documents, reports, purchase orders and other miscellaneous documents. • Responsible for implementation of department decisions within established parameters. • Responsible for department meeting minutes as required. • Orders, researches, and obtains quotes and inventories supplies and equipment; prepares purchase orders for Department Director approval. • Reviews invoices for receipt of goods and services and verifying appropriate charges. • Sorts and distributes incoming mail and preparing outgoing mail. 			



- Prepares cash drawer, if applicable.
- Maintains various administrative records in compliance with records retention requirements.
- Performs complex secretarial tasks in an independent nature.
- Performs tasks in a confidential manner when necessary or requested (i.e. HIPPA).
- Archives inactive records.
- Provides coverage or
- Back-up for the front desk and switchboard as required.
- Other duties as assigned.
- Interacting with Computers – Using computers and computer systems (including hardware and software) to set up functions, enter data and process information.
- Getting Information – Observing, receiving, and otherwise obtaining information from all relevant sources.
- Performing Administrative Work– Performing day-to-day administrative tasks such as maintaining information files and processing paperwork.
- Getting and Processing Information – Observing, receiving, and otherwise obtaining information from all relevant sources. Compiling, coding, categorizing, calculating, tabulating, auditing, or verifying information or data.
- Documenting/Recording Information – Entering, transcribing, recording, storing, or maintaining information in written or electronic/magnetic form.
- Organizing, Planning, and Prioritizing Work – Developing specific goals and plans to prioritize, organize, and accomplish our work.
- Establishing and Maintaining Interpersonal Relationships – Developing constructive and cooperative work relationships with others, and maintaining them over time.
- Communicating with Supervisors, Peers, or Subordinates – Providing information to supervisors, co-workers, and subordinates by telephone, in written form, e-mail, or in person.
- Communicating with Persons Outside the Organization – Communicating with people outside the organization, representing the City to customers, the public, other government entities, and other external sources. This information can be exchanged in person, in writing, or by telephone or e-mail.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Previous experience as administrative assistant or senior clerical with at least two years of experience in position of responsibility. The applicant must have demonstrated the ability to perform job functions listed, either through related experience or specialized training. A high school graduate (or GED equivalent) with course work in word processing and related office procedures is required.



PREFERRED SKILLS

Knowledge

- Clerical - Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, designing forms and other office procedures and terminology.
- Customer and Personal Service – Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- English Language – Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- Computer and Electronics – Knowledge of software including applications. Knowledge of fax machines, postage machines, and copiers.

Skills

- Active Listening – Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- Reading Comprehension – Understanding written sentences and paragraphs in work related documents.
- Writing – Communicating effectively in writing as appropriate for the needs of the audience.
- Speaking – Talking to others to convey information effectively.
- Time Management – Managing one’s own time and prioritizing workload and schedule.
- Active Learning – Understanding the implications of new information for both current and future problem-solving and decision-making.

Abilities

- Oral Comprehension and Expression – The ability to listen to and understand information and ideas presented through spoken words and sentences.
- Written Expression – The ability to communicate information and ideas in writing so others will understand.
- Special Recognition and Clarity – The ability to identify and understand the speech of another person and the ability to speak clearly so others can understand you.
- Near Vision – The ability to see details at close range (within a few feet of the observers).



- Problem Sensitivity – The ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing there is a problem.

ADDITIONAL NOTES

- Physical Requirements - This job requires 85% of the workday sitting at a desk with 15% of the time spent walking, bending, stooping, twisting, turning, and occasionally lifting weight under 25lbs.
- Eye-hand coordination is required for the use of calculators, computers, fax and copy machines.
- Reasonable accommodation consideration will be made for otherwise qualified individuals as defined by the Americans with Disability Act.
- Environmental Features – This position requires working indoors in environmentally controlled conditions. May require accepting criticism and dealing calmly and effectively with high stress situations.
- Therefore, it is imperative to maintain composure, keeping emotions in check, controlling anger, and avoiding aggressive behavior even in very difficult situations.
- This position requires being open to change (positive or negative) and to considerable variety in the workplace.
- Able to work overtime, civil defense recall and occasional weekend and holidays as required.

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	

Job Title:	Human Resources Generalist		
Department/Group:	Human Resources	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL		
Level/Salary Range:	\$43.29 to \$55.00 hourly	Position Type:	
HR Contact:	727-391-9951	Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:	Fax: 727-399-1131 or email at humanresources.gov		

JOB SUMMARY:

The Human Resource Generalist will run the daily functions of the Human Resource (HR) department including hiring and interviewing staff, administering pay, benefits, and leave, and enforcing company policies and practices.

Supervisory Responsibilities:

- May oversee the scheduling, assignments, and daily workflow of subordinate staff in the department.
- May assist with constructive and timely performance evaluations.

Duties/Responsibilities:

- Reviews, tracks, and documents compliance with mandatory and non-mandatory training, continuing education, and work assessments. This may include safety training, anti-harassment training, professional licensure, and aptitude exams and certifications.
- Recruits, interviews, and facilitates the hiring of qualified job applicants for open positions; collaborates with departmental managers to understand skills and competencies required for openings.
- Conducts or acquires background checks and employee eligibility verifications.
- Implements new hire orientation and employee recognition programs.
- Performs routine tasks required to administer and execute human resource programs including but not limited to disciplinary matters; disputes and investigations; performance and talent management; productivity, recognition, and morale; occupational health and safety; and training and development.
- Handles employment-related inquiries from applicants, employees, and supervisors, referring complex and/or sensitive matters to the appropriate staff.
- Attends and participates in employee disciplinary meetings, terminations, and investigations.
- Maintains compliance with federal, state, and local employment laws and regulations, and recommended best practices; reviews policies and practices to maintain compliance.
- Maintains knowledge of trends, best practices, regulatory changes, and new technologies in human resources, talent management, and employment law.
- Performs other duties as assigned.

Required Skills/Abilities:

- Excellent verbal and written communication skills.
- Excellent interpersonal, negotiation, and conflict resolution skills.
- Excellent organizational skills and attention to detail.
- Excellent time management skills with a proven ability to meet deadlines.
- Strong analytical and problem-solving skills.
- Ability to prioritize tasks and to delegate them when appropriate.
- Ability to act with integrity, professionalism, and confidentiality.
- Thorough knowledge of employment-related laws and regulations.
- Proficient with Microsoft Office Suite or related software.
- Proficiency with or the ability to quickly learn the organizations HRIS and talent management systems.

Education and Experience:

- Bachelor's degree in Human Resources, Business Administration, or related field required.
- At least one year of human resource management experience preferred.
- SHRM-CP preferred.

Physical Requirements:

- Prolonged periods of sitting at a desk and working on a computer.
- Must be able to lift 15 pounds at times.
- Must be able to access and navigate each department at the organization's facilities.

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ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator

300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



City of Madeira Beach Position Description

Job Title:	Long Range Planner		
Department/Group:	Community Development	Supervisor:	Community Development Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL		
Level/Salary Range:	\$65,000 - \$70,000	Position Type:	Full Time
HR Contact:	727-391-9951	Date Posted:	March 13, 2023
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:	Fax: 727-399-1131 or Email: humanresources@madeirabeachfl.gov		

Job Description:

ROLE AND RESPONSIBILITY

The Long Range Planner Pposition is advanced and highly responsible for performing complex projects and long-range planning for the City of Madeira Beach Community Development Department. General responsibilities include evaluating and formulating land use and transportation strategies, conducting policy research, analyzing, and appraising elements of the Madeira Beach Comprehensive Plan and preparing written presentations of various applications and proposals. This position is focused on comprehensive planning, long-range policy development and initiatives, and project management.

ESSENTIAL FUNCTIONS:

- Evaluates, analyzes, updates, and implements the elements of the Madeira Beach Comprehensive Plan.
- Conducts and/or manages planning studies to address relevant issues and standards and advises the Community Development Director of recommendations on updating/revising regulations and on the requirements for the Madeira Beach Comprehensive Plan.
- Recommends new and revised policies, codes, ordinances, and regulations.
- Prepares draft ordinances and amendments to ordinances.
- Research information pertaining to land development and transportation planning issues.
- Assists in the formulation, enhancement and testing of methods and procedures to monitor and evaluate impact on and capacity of, public services, transportation facilities, parks, and capital expenditures.
- Receives and responds to inquiries regarding zoning issues; interprets and explains codes, ordinances and regulations to engineers, architects, contractors, property/business owners, and other interested parties.
- Assists with various permit applicants and general public to understand land development policies and procedures of the City; determines/verifies zoning status as requested.
- Interacts, communicates with, and coordinates various groups and individuals such as the immediate supervisor, co-workers, County personnel, engineers, contractors, consultants, architects, Board members, landowners, community/civic organizations, and the general public.

- Assists the public in completing Comprehensive Plan Land Use change applications and rezoning applications.
- Provides information to the public regarding Zoning Ordinances, the Madeira Beach Comprehensive Plan and Future Land Use Map.
- Reviews the work of subordinates for completeness and accuracy; evaluates and makes recommendations as appropriate; offers advice and assistance as needed.
- Reviews various applications, develops staff reports and prepares and delivers presentations to Special Magistrate, Planning Commission and Board of County Commissioners.
- Provides expert advice to boards regarding planning issues.
- Coordinates planning efforts with consulting firms as required.
- Creates and updates various ArcGIS maps for the City of Madeira Beach.

QUALIFICATIONS REQUIRED:

- Advanced knowledge of the philosophies, principals, practices & techniques of planning.
- Well-developed knowledge of one or more planning disciplines, such as land use planning/zoning, transportation planning, environmental planning, urban design, housing, historic preservation or economic development.
- Knowledge of principles, methodology, practices of research and data collection.
- Knowledge of effective writing techniques.
- Knowledge of computer programs and applications, which may include Microsoft Office, GIS, and database management.

EXPERIENCE, EDUCATION, AND TRAINING PREFERRED:

Master's Degree from an accredited college or university in Urban Planning, Geography, Public Administration or a related field, with major course work in Urban Planning.
 FEMA experience in coastal barrier islands.
 Two years of planning experience, plans review experience preferred.
 Competence and experience in Arc Info/GIS mapping preferred

PHYSICAL/WORKING REQUIREMENTS:

Ability to operate computer hardware such as a keyboard and mouse; push and pull up to 25 pounds; hold and grip objects. Primarily indoors with heating and cooling regulated in a general office environment; may work outdoors when conducting field surveys and therefore susceptible to extreme weather conditions.

Attends required evening meetings; if operating a motor vehicle for the purpose of completing job duties, must possess a valid Driver's License.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

The statements noted above are intended to describe the general nature and level of work being performed and are not to be construed as a comprehensive list of responsibilities, duties and skills required. These statements are subject to change at the discretion of the employer.

Cover letters and resumes may be included but are not accepted in lieu of application form.

All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Item 6B.

QUALIFICATIONS REQUIRED:

- Certified Floodplain Manager (CFM) certification is preferred or must be obtained within 1 year.
- Education, training, and experience providing the following knowledge, skills, and abilities: possess and maintains a working knowledge of municipal planning issues, principles, methods and techniques with specialized knowledge of urban conservation, development management, transportation, and economic development programs as required by departmental assignment.
- Knowledge of Florida land use planning, community planning techniques, site plan development and review, regulatory services and devices, data sources and urban information systems as required by departmental or OTO assignment.
- Effectively execute planning activities including implementing policy and programs within established resource and budgetary constraints; read, understand, and interpret a variety of written documentation and graphic material; conduct research.
- Utilize a variety of computer software applications.
- Effectively present data and information in visual aid form; compile a variety of data and information; follow oral and written instructions; communicate effectively both verbally and in writing; deal effectively and courteously with associates, customers, and the general public.

EXPERIENCE, EDUCATION, AND TRAINING PREFERRED:

- Master's Degree from an accredited college or university in Urban Planning, Geography, Public Administration or a related field, with major course work in Urban Planning.
- Attend conferences, workshops, seminars, and other training for professional development purposes.
- FEMA experience in coastal barrier islands.
- Two years of planning experience, plans review experience preferred.
- Competence and experience in Arc Info/GIS mapping preferred

PHYSICAL/WORKING REQUIREMENTS:

Ability to operate computer hardware such as a keyboard and mouse; push and pull up to 25 pounds; hold and grip objects. Primarily indoors with heating and cooling regulated in a general office environment; may work outdoors when conducting field surveys and therefore susceptible to extreme weather conditions.

Attends required evening meetings; if operating a motor vehicle for the purpose of completing job duties, must possess a valid Driver's License.

NOTE: Reasonable accommodation considerable will be made for otherwise qualified individuals with a disability.

All applications will become public record under Florida law.

AA/EOE/DFWP

Open until filled

Submit complete application for employment to: <https://madeirabeachfl.gov/jobs>



Job Title:	Marina Manager		
Department/Group:	Marina	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$66,560 -\$83,260 DOQ	Position Type:	Full Time
HR Contact:	Human Resources Coordinator	Date Posted:	09/27/2019
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Marina Director Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>The City is seeking a highly qualified full charge marina manager who is professional, disciplined, results oriented, and energetic. Under the administrative direction of the City Manager this applicant is responsible for the cost-effective, safe and efficient operation of the Madeira Beach Municipal Marina including all employees and activities within the Marina. The City of Madeira Beach is nestled on Florida’s Gulf Coast and is referred to as “the Grouper Capital of the World”. This City provides for an excellent opportunity for a dynamic individual to lead and make a great impression on the community and staff.</p> <ul style="list-style-type: none"> • Responsible for the day to day operations of the entire marina 7-days a week; must be able to work flexible hours that are often dictated by weather conditions. • Supervises marina personnel and responsible to assign, review, evaluate and plan work of employees and maintain service and operational standards. • Administers Marina’s annual budget and initiates purchase requisitions. • Remains current on all applicable federal, state and local regulations. • Provides training to marina staff regarding customer service, proper handling of financial transactions, proper fueling operations, safety precautions with the facility, spill response, and handling of emergencies. • Determines which items or services are to be purchased, the quantity and quality, approve invoices, and negotiate or approve contracts for goods and services. • Adheres to all regulations of licensure associated with the Marina facility, including but not limited to: package sale of alcoholic beverages, retail sale of saltwater fish products, and dispensing of liquefied propane fuel. • Establishes and maintains an inventory system for all resale items and the facility including determining the types of products available for resale, required qualities on-hand, loss prevention measures, vendor contacts, product delivery schedule and ordering responsibilities. • Ability to prepare documents and present to the Board of Commissioners as necessary. • Responsible for the safe and efficient operation of a marine store, storage, and fueling facility including enforcing all marina facilities rules and regulations. 			



- Responsible for the delivery of exceptional services to the boating public. Effectively communicating with marina patrons and provide information regarding fishing, tides, weather conditions and other maritime activities.
- Required to resolve customer problems, complaints and perform detailed and complex tasks at times with short deadlines.
- Assigns and monitors storage rental spaces for wet and dry slips and maintains accurate records of all rental agreements. Accounts for and takes appropriate action in response to delinquent accounts.
- Assigns and monitors slips for transient vessels and assists vessels regarding mooring methods.
- Routinely monitors docks, piers, and moored watercraft through periodic inspections and making necessary repairs when needed.
- Attend annual conference seminars and trainings, some of which may be out of state.

QUALIFICATIONS AND EDUCATION REQUIREMENTS:

- Bachelor's Degree in Business or Public Administration with a minimum high school graduation or GED equivalent required. Trade certification may substitute for some college.
- Must have a valid Florida Driver's License and boater safety certification.
- Five years of experience as full charge marina operational manager with demonstrated ability to perform marina asset management, either through related experience or specialized course work.
- Three years' experience related to supervisory, customer service and marina operations preferably with a government or public agency.
- Previous experience managing an annual gross operating revenue (from the marina as well as all other related operations) of at least \$1,000,000 or managed a marina business with at least 100 boats in wet slips, moorings and/or dry storage slots preferred.
- A member in good standing of Association of Marina Industries is preferred.
- Certified Marina Manager preferred or ability to obtain designation within two years of employment.

KNOWLEDGE, SKILLS AND ABILITIES:

- Knowledge of local waterways, tides, winds, hurricane tendencies and general weather patterns.
- Knowledge of and skill in applying techniques and standard marine practices related to watercraft operations, moorings and docking procedures, and marine fuel handling.
- Knowledge of environmental responsibilities and ability to direct and operate the facility as needed.
- Ability to work and be exposed to outdoor conditions on a daily basis, in all types of weather situations in managing and coordinating marina operations, sometimes in extreme heat.

PHYSICAL DEMANDS

Work is performed in an office setting and outdoors. Hand-eye coordination is necessary to operate a computer, calculator, and various office equipment, screw driver, and other small hand tools. The employee may be required to operate a boat, vehicle or truck. The stress level for this position could be regarded as moderately "high". While performing the duties, the employee is frequently required to sit, stand, talk, handle, feel or operate machinery and climb stairs. May be required to perform moderate lifting (15-50 lbs.), heavy lifting (over 50 lbs.) which is occasionally required.

ADDITIONAL NOTES:

The statements noted above are intended to describe the general nature and level of work being performed and are not to be construed as a comprehensive list of responsibilities, duties and skills required. These statements are subject to change at the discretion of the employer.



ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, and will provide reasonable accommodations to qualified individuals with disabilities and Encourage both prospective and current employees to discuss potential accommodations with the employer.

PHYSICAL/WORKING REQUIREMENTS:

Work is performed in an office setting and outdoors. Hand-eye coordination is necessary to operate a computer, various office equipment, screw driver, and other small hand tools. The employee may be required to operate a vehicle, street sweeper, backhoe, and fork lift or sanitation truck. The stress level for this position could be regarded as moderately "high". While performing the duties, the employee is frequently required to sit, stand, talk, used hand to finger, handle, feel or operates objects and climb stairs. May be required to perform moderate lifting (15-50 lbs.), heavy lifting (over 50 lbs.) is occasionally required.

NOTE: Reasonable accommodation considerable will be made for otherwise qualified individuals with a disability.

Cover letters and resumes may be included but are not accepted in lieu of application form.

All applications will become public record under Florida law.

AA/EOE/DFWP

Submit complete application for employment to: **Karen Paulson, Human Resources Coordinator**



Job Title:	Marina Attendant		
Department/Group:	Marina	Supervisor:	Marina Manager
Location:	Madeira Beach Municipal Marina 503 150th Ave Madeira Beach, FL 33708		
Level/Salary Range:	\$15.00 - \$ 18.46	Position Type:	Part-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the direction of the Marina Manager or designee, this is a responsible skilled worker delivery of services to the boating public:</p> <ul style="list-style-type: none"> • An employee in this classification is responsible for the safe and efficient operation of a marine fueling facility, public docks, and bait house facility. Duties are performed under general supervision. • Assists in dispensing marine fuels and lubricants to a variety of watercraft. • ensures that all appropriate safety precautions are observed at the marina and pier/bait house. • Assists vessels in mooring. • Monitoring docks, piers, and moored watercraft through periodic inspections. • Adjusting and re-positioning mooring lines as needed. • Answers telephone calls and provides marine and fishing related information. • Collects fees for rentals and resale items. • Performs minor maintenance, custodial assignments, and other marine or pier/bait house tasks as directed. <p>QUALIFICATIONS AND EDUCATION REQUIREMENTS</p> <ul style="list-style-type: none"> • Graduation from high school or GED equivalent required. • Valid Florida Driver License 			



- Completed or the ability to complete the Florida Boating Safety Education Program.
- Previous experience related to boating and/or bait house operations.
- Previous experience related to boating and/or bait house operations.
- Knowledge of local waterways, tides, winds, hurricane tendencies and general weather patterns.
- Knowledge of standard marine practices related to watercraft operations, moorings and docking procedures, and marine fuel handling.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Must be able to work weekends and holidays required.

WORK ENVIRONMENT

- Working knowledge of safety practices, handling and moving objects with proper technique.
- Able to work in adverse weather conditions and some extreme temperatures.

ADA COMPLIANCE:

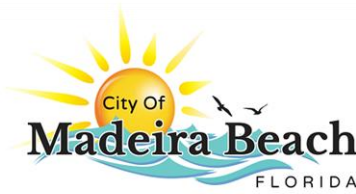
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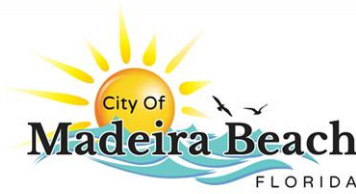
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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Marina Supervisor		
Department/Group:	Marina	Supervisor:	Marina Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$22.95 - \$30.00 hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Marina Supervisor Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Description of the roles and responsibilities. Under the direction of the Marina Manager, this is a responsible skilled worker delivery of services to the boating public.</p> <ul style="list-style-type: none"> • Supervises marina personnel and responsible to assign, review and plan work of employees and maintain service and operational standards. • Provides training to marina staff regarding customer service, proper handling of financial transactions, proper fueling operations, safety precautions with the facility, spill response, and handling of emergencies. • Maintains an inventory system for all resale items including required quantities on-hand, vendor contacts, loss prevention, ordering responsibilities and delivery schedules. • Picking up supplies • An employee in this classification is responsible for the safe and efficient operation of a marine fueling facility, cleaning public docks, bait house and surrounding areas. • Instructs boaters on water safety, weather conditions, and other data for proper operation within the municipal marina. • Assigns and monitors rental spaces for wet and dry storage and maintains accurate records of all rental agreements. • Accounts for and takes appropriate action in response to delinquent accounts. • Enforces all marina facility rules and regulations. • Remains current on all application federal, state and local regulations. 			



- Ensures that all appropriate safety precautions are observed at the marina and pier/bait house.
- Assigns slip to transient vessels and assists vessels regarding mooring methods.
- Routinely monitors docks, piers, and moored watercraft through periodic inspections and makes necessary repairs when needed.
- Prepares reports pertaining to financial transactions and resale inventory.
- Assigns maintenance, custodial and other marine or pier/bait house tasks as directed.
- Other assignments as directed.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Previous supervisory experience preferred.
- Graduation from high school or GED equivalent required with a minimum of two years college. Trade certification may substitute for some college.
- Must have a valid Florida Drivers License.
- Three years' experience related to customer service and marina operations preferred.
- Knowledge of local waterways, tides, winds, hurricane tendencies and general weather patterns.
- Knowledge of and skill in applying techniques and standard marine practices related to watercraft operations, moorings and docking procedures, and marine fuel handling.
- Awareness of environmental responsibilities and ability to direct and operate the facility as needed.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Required to resolve customer problems, complaints and perform detailed and complex tasks at times with short deadlines.
- Must be able to work weekends and holidays, "on call" and accessible by cell phone.
- Able to respond to civil defense recall and work in adverse weather conditions if required.

WORK ENVIRONMENT

The work environment is usually quiet in the office and moderate to loud in outdoors. On a daily basis will be exposed to outdoor conditions, in all types of weather situations in managing and coordinating marina operations, sometime in extreme heat.

PHYSICAL DEMANDS

Work is performed in an office setting and outdoors. Hand-eye coordination is necessary to operate a computer, calculator, and various office equipment, screw driver, and other small hand tools. The employee may be required to operate a boat, vehicle or truck. The stress level for this position could be regarded as moderately "high". While performing the duties, the employee is frequently required to sit, stand, talk, used hand to finger, handle, feel or operates objects and



climb stairs. May be required to perform moderate lifting (15-50 lbs.), heavy lifting (over 50 lbs.) is occasionally required.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 MUNICIPAL DR. MADEIRA BEACH, FL 33708 OR
HUMANRESOURCES@MADEIRABEACH.COM

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Marina Manager		
Department/Group:	Marina	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$66,560 -\$83,260 DOQ	Position Type:	Full Time
HR Contact:	Human Resources Coordinator	Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Marina Manager Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>The City is seeking a highly qualified full charge marina manager who is professional, disciplined, results oriented, and energetic. Under the administrative direction of the City Manager this applicant is responsible for the cost-effective, safe and efficient operation of the Madeira Beach Municipal Marina including all employees and activities within the Marina. The City of Madeira Beach is nestled on Florida’s Gulf Coast and is referred to as “the Grouper Capital of the World”. This City provides for an excellent opportunity for a dynamic individual to lead and make a great impression on the community and staff.</p> <ul style="list-style-type: none"> • Responsible for the day-to-day operations of the entire marina 7-days a week; must be able to work flexible hours that are often dictated by weather conditions. • Supervises marina personnel and responsible to assign, review, evaluate and plan work of employees and maintain service and operational standards. • Administers Marina’s annual budget and initiates purchase requisitions. • Remains current on all applicable federal, state, and local regulations. • Provides training to marina staff regarding customer service, proper handling of financial transactions, proper fueling operations, safety precautions with the facility, spill response, and handling of emergencies. • Determines which items or services are to be purchased, the quantity and quality, approve invoices, and negotiate or approve contracts for goods and services. 			



- Adheres to all regulations of licensure associated with the Marina facility, including but not limited to: package sale of alcoholic beverages, retail sale of saltwater fish products, and dispensing of liquefied propane fuel.
- Establishes and maintains an inventory system for all resale items and the facility including determining the types of products available for resale, required qualities on-hand, loss prevention measures, vendor contacts, product delivery schedule and ordering responsibilities.
- Ability to prepare documents and present to the Board of Commissioners as necessary.
- Responsible for the safe and efficient operation of a marine store, storage, and fueling facility including enforcing all marina facilities rules and regulations.
- Responsible for the delivery of exceptional services to the boating public. Effectively communicating with marina patrons and provide information regarding fishing, tides, weather conditions and other maritime activities.
- Required to resolve customer problems, complaints and perform detailed and complex tasks at times with short deadlines.
- Assigns and monitors storage rental spaces for wet and dry slips and maintains accurate records of all rental agreements. Accounts for and takes appropriate action in response to delinquent accounts.
- Assigns and monitors slips for transient vessels and assists vessels regarding mooring methods.
- Routinely monitors docks, piers, and moored watercraft through periodic inspections and making necessary repairs when needed.
- Attend annual conference seminars and trainings, some of which may be out of state.

QUALIFICATIONS AND EDUCATION REQUIREMENTS:

- Bachelor's Degree in Business or Public Administration with a minimum high school graduation or GED equivalent required. Trade certification may substitute for some college.
- Must have a valid Florida Driver's License and boater safely certification.
- Five years of experience as full charge marina operational manager with demonstrated ability to perform marina asset management, either through related experience or specialized course work.
- Three years' experience related to supervisory, customer service and marina operations preferably with a government or public agency.
- Previous experience managing an annual gross operating revenue (from the marina as well as all other related operations) of at least \$1,000,000 or managed a marina business with at least 100 boats in wet slips, moorings and/or dry storage slots preferred.
- A member in good standing of Association of Marina Industries is preferred.
- Certified Marina Manager preferred or ability to obtain designation within two years of employment.

KNOWLEDGE, SKILLS AND ABILITIES:



- Knowledge of local waterways, tides, winds, hurricane tendencies and general weather patterns.
- Knowledge of and skill in applying techniques and standard marine practices related to watercraft operations, moorings and docking procedures, and marine fuel handling.
- Knowledge of environmental responsibilities and ability to direct and operate the facility as needed.
- Ability to work and be exposed to outdoor conditions on a daily basis, in all types of weather situations in managing and coordinating marina operations, sometimes in extreme heat.

PHYSICAL DEMANDS

Work is performed in an office setting and outdoors. Hand-eye coordination is necessary to operate a computer, calculator, and various office equipment, screw driver, and other small hand tools. The employee may be required to operate a boat, vehicle or truck. The stress level for this position could be regarded as moderately “high”. While performing the duties, the employee is frequently required to sit, stand, talk, handle, feel or operate machinery and climb stairs. May be required to perform moderate lifting (15-50 lbs.), heavy lifting (over 50 lbs.) which is occasionally required.

Work is performed in an office setting and outdoors. Hand-eye coordination is necessary to operate a computer, various office equipment, screw driver, and other small hand tools. The employee may be required to operate a vehicle, street sweeper, backhoe, and fork lift or sanitation truck. The stress level for this position could be regarded as moderately “high”. While performing the duties, the employee is frequently required to sit, stand, talk, used hand to finger, handle, feel or operates objects and climb stairs. May be required to perform moderate lifting (15-50 lbs.), heavy lifting (over 50 lbs.) is occasionally required.

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Item 6B.



Job Title:	Operations Coordinator		
Department/Group:	Building Department	Supervisor:	Building Official
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 – 29.75/hr	Position Type:	Full Time
HR Contact:	Human Resources Coordinator	Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 391-1131 humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Operations Coordinator			
Attention: Recruiting or Human Resource Department			
Job Description			
GENERAL ROLE AND RESPONSIBILITIES			
Under the direction of the Department Director, the Operations Coordinator:			
<ul style="list-style-type: none"> • Provides information and assistance to residents and other members of the public. • Ability to multitask and to perform a wide range of duties and tasks. • Excellent oral and written communication skills. • Responsible for various processes and liaison with other departments such as Planning & Zoning, IT support, Finance and Code Enforcement. • Ability to interact effectively as a member of a team and work collaboratively with staff. • Proficient with office programs including Word, Excel and Publisher. • Scheduling meeting and coordinating necessary documents, equipment, etc. • Files correspondence, forms, documents, reports, purchase orders and other miscellaneous documents. • Orders, researches, and obtains quotes and inventories supplies and equipment; prepares purchase orders for Department Director approval. • Reviews invoices for receipt of goods and services and verifying appropriate charges. • Prepares, submits and reconciles purchase orders and other financial transactions. • Maintains various administrative records in compliance with records retention requirements. • Other duties as assigned. 			



DEPARTMENT SPECIFIC ROLE AND RESPONSIBILITIES

- Prioritizes work according to departmental deadlines.
- Serves as liaison to other team members, including interacting with managers of different areas of the organization, presenting findings to management as well as training and monitoring new employees and tracking and measuring staff performance.
- Manage annual certification memberships, dues and continuing education requirements for department personnel.
- Serves as primary record custodian for the department.
- Provide assistance to Special Magistrate hearings.
- Prepare and manage confidential materials and correspondence such as letters, memoranda, reports, affidavits, and other materials
- Experience in permitting or other regulatory environment, such as a law office is preferred.

MISCELLANEOUS DUTIES AND RESPONSIBILITIES

- Perform Notary duties as needed.
- Maintain departmental office supplies inventory by checking stock to determine inventory level, anticipating needed supplies, placing and expediting orders for supplies, and verifying receipt of supplies for payment.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Bachelor's degree and/or five (5) years previous experience relating to any of the following government departments: building, community development and code enforcement. A comparable amount of training, education or experience can be substituted for the minimum qualifications.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of administrative and clerical procedures and systems.
- Ability to establish and maintain effective working relationships with the public and other City employees and subordinates.
- Ability to deal with the public effectively, courteously, and tactfully.
- Ability to analyze administrative problems, to make sound recommendations for solutions and to prepare effective work procedures.
- Ability to express oneself logically and concisely, orally, and in writing.
- Familiarity with graphic design programs preferred.

ADDITIONAL NOTES

- Physical Requirements - This job requires 85% of the workday sitting at a desk with 15% of the time spent walking, bending, stooping, twisting, turning, and occasionally lifting weight under 25 lbs.
- Eye-hand coordination is required for the use of calculators, computers, fax and copy machines.



ADA COMPLIANCE:

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AA/EOE/DFWP

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300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Parking Enforcement Officer		
Department/Group:	Parking Department	Supervisor:	Parking Supervisor
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$15.00 - \$18.46	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
ROLE AND RESPONSIBILITIES			
<p>Under the supervision of the Parking Enforcement Supervisor, the Parking Enforcement Officer (PEO) ensures proper parking regulations are followed in the City of Madeira Beach. In addition to the Parking Enforcement Office’s primary responsibility of issuing citations for parking violations throughout the City, the PEO is responsible for providing first-class customer service to our guests.</p> <ul style="list-style-type: none"> • Work as scheduled 20-25 hours per week, including weekends, holidays, and occasional overtime as needed. • Provide general information to visitors and residents. • Complete and file citations as well as related reports. • Assist with installation and/or removal of parking related signage as zone numbers or rates change. • Other duties as assigned. 			
QUALIFICATIONS REQUIRED / KNOWLEDGE / EXPERIENCE			
<ul style="list-style-type: none"> • A high school diploma or GED is required. • The applicant must also possess a valid Florida Driver’s License or be able to obtain one upon employment. 			



KNOWLEDGE / SKILLS / ABILITIES

- Identify and address parking-related ordinance violations.
- Ability to deal with the public effectively, courteously, and tactfully.

Respond professionally and courteously to public inquiries.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

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Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Parking Enforcement Supervisor		
Department/Group:	Parking	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL		
Level/Salary Range:	\$22.95 - \$30.00 hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:	Fax: 727-399-1131 Email: humanresources@madeirabeachfl.gov		
<p>ROLE AND RESPONSIBILITY:</p> <p>Directs the financial auditing of the daily revenue reports. Prepares operating and Capital Improvements Project (CIP) budget including revenue & fine projections. Manages office and technical staff including employee selection, performance evaluations and counseling. Develops and implements programs for the daily function of the parking system. Researches and analyzes data to present detailed and comprehensive financial impact(s) and revenue forecasting. Researches and prepares bid specifications and approves purchasing of all parking related products and services. Prepare and present parking related City Council agenda items. Represents City with other governmental agencies at public meetings. Responds to customer inquiries and/or complaints, both written and oral</p> <ul style="list-style-type: none"> • Complete and file citations and related reports • Performs routing maintenance and repair City parking meters. • Retrieves reports and appeals from City’s Code Enforcement Officers. • Maintain maintenance records and complete reports on from all meter Repairs conducted, ensuring proper timing and functions of meters. • Determine an appropriate schedule for collecting money from City parking meters. • Identify and address parking-related ordinance violations. • Authorizes overpayment/refund requests. • Testify before special magistrate as required. • Installs/maintains digital pay stations as needed. • Collect and provide change from pay stations, count and deposit. • Respond professionally and courteously to public inquiries. • Operates and maintains assigned vehicle, utilizes maps for locating service are as required. • Operates a handheld computer to enter, retrieve, review or modify data, utilizing Microsoft Word, Excel, Internet, Email or other software, and operates general office or other equipment as necessary to complete essential functions. • Complete other related duties at the discretion of the Finance Director 			

QUALIFICATIONS AND EDUCATION REQUIREMENTS:

Graduation from an accredited four (4) year college or university with a bachelor's degree in management, Accounting, and Business or a related field and two (2) years of experience in the management of a municipal parking system. Any equivalent combination of education, training, and experience. The employee in this position exercises independent judgment and initiative in performing advanced technical activities in parking management and planning. Assignments require the application of management skills and advanced technical knowledge.

KNOWLEDGE / SKILLS / ABILITIES:

- Knowledge of basic financial and accounting concepts.
- Ability to supervise, train, and effectively evaluate the work of subordinates.
- Ability to establish and maintain effective working relationships with the public and other City employees and subordinates.
- Ability to deal with the public effectively, courteously, and tactfully.
Ability to analyze administrative problems, to make sound recommendations for solutions and to prepare effective work procedures.
- Ability to express oneself logically and concisely, orally, and in writing.

PHYSICAL/WORKING REQUIREMENTS

Tasks require the regular and, at times, sustained performance of moderately physically. Demanding work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, and crawling, and that may involve the lifting, carrying, pushing, and/or pulling of moderately heavy objects and materials (20-50 pounds). Performance of essential functions may require exposure to adverse environmental conditions, such as dirt, dust, pollen, odors, wetness, humidity, rain, temperature extremes, electric currents, traffic hazards, bright/dim lights, animal/wildlife attacks, animal/human bites, or rude/irate customers.

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator

300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Grounds Maintenance Supervisor		
Department/Group:	Public Works	Supervisor:	Public Works Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 - \$28.00 hr.	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL:	
Subject Line: Grounds Maintenance Worker I		City of Madeira Beach	
Attention: Human Resources – Recruiting		300 Municipal Drive	
		Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES			
Under the direction of the Public works Director, this position is responsible for maintaining and beautification efforts for City grounds and parks, and supervises/ directs Grounds Maintenance Worker I position			
Description of the roles and responsibilities Include:			
<ul style="list-style-type: none"> • Attending work as scheduled. • Loading and unloading trucks with plant materials, tools, trimmings, and trash. • Planting and maintenance of trees, shrubs, and flowers, including weeding, digging, watering, repotting, trimming, watering, and mulching. • Maintaining lawns and grounds including mowing, edging, line trimming, and blowing. • Applying insecticides, fertilizers, fungicides, and weed killer as needed. • Checking and repairing irrigation systems, including pipe, time clocks, valves, and wiring. • Removing and replacing sod. • Maintaining beach accesses, including shoveling sand and removing debris such as dead fish, driftwood, tires, etc. • Using and maintaining small hand and power tools, including mowers, edger’s, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws, and power pruners. • Sweeping restrooms, pavilions and other areas as required i.e. Kitty Stuart Park, Archibald Park, Johns Pass Park, and Village • Other similar duties as assigned. 			



Marginal Functions:

- Cleaning interior and exterior of vehicles.
- Heavy equipment operation, including dump trucks, back hoes, tractors, utility trailers, sod-cutters and bob cats.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Valid State of Florida driver’s license, CDL preferred but not necessary.
- High school graduate or GED.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Knowledge of plants and ability to identify.
- Skill in use of small hand and power tools, including mowers, edger’s, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws and power pruners.
- Ability to work in adverse weather conditions.
- A working knowledge of safety precautions.
- Skill in the application of lawn maintenance chemicals, including herbicides, fungicides, insecticides and fertilizers.
- Ability to be licensed for pesticide application pursuant to Florida Statute.
- Able to work occasional overtime and civil defense recall if required.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
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Item 6B.

Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Payroll/Financial Coordinator		
Department/Group:	Finance	Supervisor:	Accounting Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 - \$27.00 / hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Payroll/Financial Coordinator Attention: Human Resources – Recruiting			
Job Description			
<p>ROLE AND RESPONSIBILITIES:</p> <p>Professional support position involving research, report generation, monitoring capital assets, analyses, grant management and other technical work including billing and fixed asset management under the general supervision of the Accounting Manager. Highly responsible budgetary reporting requiring independent judgment and initiative within established guidelines and procedures.</p> <ul style="list-style-type: none"> • Grant management and responsible for State, Federal and Local grant reporting. • Preparing capital budget and monitoring capital projects. • Assist in producing the annual budget documents and input of budget data. • Maintaining and monitoring capital assets and preparing reports to be included in CAFR. • Completing annual fixed asset inventory. • Maintains accounts receivable files and records. • Receives and resolves problems with vendor accounts and purchase orders; provides assistance to Department Head and fellow employees and vendors as necessary; verifies that payments of invoices follow City policies and procedures. • Billing and reconciliation of monthly invoices, verifies accuracy of general billing account numbers, verifies all proper approvals are secured. Generate and send out monthly invoices. follow up on, collect and allocate payments. • Carry out billing, collection and reporting activities according to specific deadlines • Monitor customer account details for non-payments, delayed payments and other irregularities. • Inputs data into the financial system for processing and/or compilation of reports and documents, etc. 			

- Ensures all City funds are recorded in compliance with the Uniform Accounting System as issued by the Office of the Comptroller of the State of Florida.
- Review AR Aging Report to ensure compliance and that payments are being made on time.
- Responsible for generating reports and time-sensitive quarterly fuel tax reimbursement requests for the Florida Department of Revenue Refunds Division.
- Maintain customer account details for non-payment and develop a recover system and initiate collection efforts.
- Reconcile and create journal entries for daily deposits from the Marina and Recreation Departments.
- Responsible for issuing and distributing paychecks as well as recording and maintaining employee records and payroll transactions. Preparing statements reflecting earnings, taxes, and deductions.
- Performs other job-related duties as necessary and consistent with the position.

KNOWLEDGE, SKILLS AND ABILITIES:

Proficient in the use of personal computer systems using Excel, Word and other similar programs in the preparation of financial reports, records and spreadsheets. Ability to prepare technical, detail oriented written specifications and documents. Ability to express information clearly and concisely, orally and in writing. Ability to establish and maintain effective working relationships with agencies, associates and departmental staff. Knowledge of governmental finance and purchasing principles, practices and procedures. Ability to analyze, interpret and make decisions in accordance with generally accepted accounting principles and governmental accounting, auditing and financial reporting procedures. Knowledge of laws and regulations governing municipal financial operations and public procurement. Ability to be self-disciplined in the use of time to ensure the timely completion of all assigned activities.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Bachelor's degree from an accredited four-year college or university, with major course work in finance or accounting and government finance experience preferred. An equivalent combination of training and experience may also be considered.
- Must be bondable.
- Able to work overtime, weekends and holidays as needed.

WORK ENVIRONMENT & PHYSICAL REQUIREMENTS:

- 85% of work is inside a climate-controlled building, 15% outside which includes driving.
- The essential functions of the job require: sitting approximately six (6) hours per day, standing approximately one (1) hour per day, and walking approximately one (1) hour per day.
- Work requires the ability to operate office machines, telephone, fax, scanner, photocopier, and computer and broadcast equipment.



ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Programs Coordinator		
Department/Group:	Community Development	Supervisor:	Community Development Director/Building Official
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$17.46-\$27.50/ hour	Position Type:	Full Time
HR Contact:	Human Resources Coordinator	Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 391-1131 humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Programs Coordinator			
Attention: Recruiting or Human Resource Department			
Job Description			
GENERAL ROLE AND RESPONSIBILITIES			
Under the direction of respective Department Director or designee, the Programs Coordinator provides clerical support to the respective City Department:			
<ul style="list-style-type: none"> • Provides information and assistance to residents and other members of the public. • Familiarity with office programs including Word, Excel, and Publisher. • Answers telephones, routes calls, and retrieves, and distributing messages for department. • Scheduling meeting and coordinating necessary documents, equipment, etc. • Files all correspondences, forms, documents, reports, purchase orders, and other miscellaneous documents. • Records and data-enters summary minutes for meetings of one board and verbatim on rare occasions for another meeting as required. • Researches, obtains quotes, orders, and inventories supplies and equipment, and prepares purchase orders for Department Director approval. • Reviews invoices for receipt of goods and services and verifying appropriate charges. • Prepares, submits, and reconciles purchase orders and other financial transactions. 			



- Maintains various administrative records in compliance with records retention requirements.
- Coordinates large mailings and spread sheet entry and tracking.
- Other duties as assigned.

DEPARTMENT SPECIFIC ROLE AND RESPONSIBILITIES

- Prioritizes work according to departmental deadlines.
- Coordinates reviews, mailings and advertising for land use, zoning, and other hearing requirements.
- Respond to all inquiries and convey to the public specific requirements for the business classifications and sub-classifications governed by City ordinances and state statute.
- Inform applicants to see zoning for information relating to the City’s sign code regulations on the city website.
- Manage annual certification memberships, dues, and continuing education requirements for department personnel.
- Coordinate with the appropriate parties for the delivery and review of material for the local planning agency and possess the ability to upload the agenda onto I-Compass.
- Serves as clerk to Special Magistrate, Code Enforcement, Variance, and Special Exception Hearings.
- Prepares and manages confidential materials and correspondences such as letters, memoranda, reports, affidavits, and other materials.
- Manages the Department web page.
- Receives, sorts, analyzes, summarizes, and produces material for the countywide coordination of the FEMA Community Rating System program.
- Experience in permitting or other regulatory environment, such as a law office is preferred.

MISCELLANEOUS DUTIES AND RESPONSIBILITIES

- Maintain departmental office supplies inventory by checking stock to determine inventory level, anticipating needed supplies, placing, and expediting orders for supplies, and verifying receipt of supplies for payment.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

High school graduate (or GED equivalent) with course work in rated office processes and procedures. An AA or BA degree is preferred. This position also requires high level of knowledge of office management and organizational skills. Adaptability and time management are also essential. Previous experience as administrative assistant or senior clerical with at least two years experience in position of responsibility in urban planning, community development or other land regulating agency with public notice requirements. The applicant must have demonstrated the ability to perform job functions listed, either through related experience or specialized training.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of administrative and clerical procedures and systems.



- Ability to establish and maintain effective working relationships with the public and other City employees and subordinates.
- Ability to deal with the public effectively, courteously, and tactfully.
- Ability to analyze administrative problems, to make sound recommendations for solutions and to prepare effective work procedures.
- Ability to express oneself logically and concisely, orally, and in writing.
- Familiarity with graphic design programs preferred.

ADDITIONAL NOTES

- Physical Requirements - This job requires 80% of the workday sitting at a desk with 20% of the time spent walking, bending, stooping, twisting, turning, and occasionally lifting weight under 25 lbs.
- Eye-hand coordination is required for the use of calculators, computers, fax and copy machines.

ADA COMPLIANCE

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
 300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Planning Technician/ Planner I		
Department/Group:	Community Development	Supervisor:	Community Development Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 – \$28.00/hour	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>The position of Planning Technician is entry-level paraprofessional work. Depending on applicant’s education and experience this position may be elevated to Planner I. The Planning Technician devotes a significant amount of time on routine administrative tasks. A Planning Technician/Planner I often works closely with the public on a regular basis to provide customer service on planning and zoning issues. Successful Planning Technicians may be asked to perform professional-level (Planner I) duties of limited complexity as a trainee. The position has the potential to grow into a Planner II.</p> <ul style="list-style-type: none"> • Provides technical assistance and information to staff and the public in the administration of specific planning-related programs and ordinances. • Reviews building plans and zoning permit applications to assure compliance with requirements such as use, setbacks, and impervious surface ratios. • Performs routine office tasks in designated program areas, including data entry, file management, copying, answering telephone, and responding to e-mails. • Researches and compiles information on a variety of planning issues from multiple sources. • Prepares public notices or property owner verifications. • Prepares charts, tables of limited complexity. • Investigates violations of planning regulations and ordinances, including site visits. • Attends public meetings, assisting other planning staff as appropriate. • Reviews parcel legal descriptions. 			

QUALIFICATIONS AND EDUCATION REQUIREMENTS

The Planning Technician/Planner I level generally requires, at a minimum, the completion of an associate's degree in urban planning, architecture, construction management, social sciences or related field. One year of experience in plans review, zoning administration, building code issuance of surveying or similar experience. A bachelor's degree is preferred and may substitute for two years of experience.

- Knowledge of planning principles and practices, including zoning and other pertinent specialties
- Knowledge of principles and practices of research and data collection.
- Knowledge of effective writing techniques.
- Statistical, algebraic or geometric knowledge and ability to apply such knowledge in practical situations.
- Knowledge of computer programs and applications, which may include Microsoft Office, database management and Internet applications.

PREFERRED SKILLS

The following skills are necessary to perform this position:

- Oral communication and interpersonal skills to explain rules and procedures clearly to the public.
- Problem-solving skills to gather relevant information to solve practical problems and address citizen inquiries and concerns.
- Ability to review plans and apply provisions of the ordinances and codes to determine compliance with such regulations and to apply regulations to field conditions.
- Ability to work on several projects or issues simultaneously.
- Ability to work independently or in a team environment as needed.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Planner II/III		
Department/Group:	Community Development	Supervisor:	Community Development Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$22.95 – \$30.00/hour	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Planner II/III Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>This position will either be a Planner II or Planner III depending on the skill level of the chosen applicant.</p> <p>The Planner II position requires professional planning work of moderate difficulty. It is characterized by increasingly specialized knowledge of the planning field and a more elevated level of required duties and responsibilities compared with the Planner I.</p> <p>The Planner III position requires a more advanced professional planning experience of high complexity and variety. Some functions are similar to those of the Planner II level, though the Planner III often leads or is significantly involved with larger, more complex planning assignments.</p> <p>Planner II/III exercises greater independence and judgment, receiving general supervision from senior management (Community Development Director, Community Development Engineer and Building Official) and working closely with all city staff.</p> <ul style="list-style-type: none"> • Interprets and applies applicable state, county and local codes, ordinances and regulations • Initiates actions necessary to correct deficiencies or violations of regulations • Assists with updates and maintenance of Comprehensive Plan and land development regulations • Conducts review of various development applications including unity of titles, permits, site plans, variance requests and rezonings 			

- Provides planning and permit assistance to residents
- Performs field inspections to gather data relevant to the development review process and/or to verify that development projects comply with approved plans
- Conducts extensive research in specific or general project areas
- Writes and presents formal and technical reports, working papers, and correspondence
- Identifies community problems, issues, and opportunities in particular areas of the city that could be mitigated through better community planning
- Develops long range plans for communities with common developmental issues
- Evaluates adequacy of community facilities in meeting current and projected needs
- Recommends priorities, schedules, and funding sources to implement public improvements plan
- Writes, or assists in writing, a variety of ordinances and regulations relating to development controls
- Attends occasional evening and weekend meetings

QUALIFICATIONS AND EDUCATION REQUIREMENTS

The Planner II level requires a master's degree with two years of experience in the planning profession, or a bachelor's degree and four years of professional planning experience. The Planner III level requires a master's degree in planning or related field and three years of experience in the planning profession, or a bachelor's degree and five years of professional planning experience. Certified Floodplain Manager (CFM) is preferred or must be obtained within one year.

PREFERRED SKILLS

The following skills are necessary to perform this position:

- Well-developed knowledge of planning principles and practices
- Knowledge of effective writing techniques
- Knowledge of or experience in community remediation and redevelopment, and knowledge of relevant Federal programs
- Ability to read and decipher site and building plans
- Ability to work on several projects or issues simultaneously
- Ability to manage projects effectively and meet firm deadlines
- Knowledge of computer programs and applications, which may include Microsoft Office, Internet applications, GIS, and database management
- Knowledge of coastal planning, floodplain management and hazard mitigation.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.



ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Permit Clerk – Full Time		
Department/Group:	Building Department	Supervisor:	Building Official
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00-\$24.94	Position Type:	Full-Time
HR Contact:	Human Resources Coordinator	Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL (727) 399-1131 or HUMANRESOURCES@MADEIRABEACHFL.GOV Subject Line: Permit Clerk Attention: Recruiting or Human Resources Department		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES <p>Under general direction of the Building Official, participates in front counter operations. Works alongside Permit Technician to assist with developing and maintaining a working relationship with contractors, developers, consultants, and residents to achieve compliance with all federal, state, county and city codes, and ordinances.</p> <ul style="list-style-type: none"> • Main task will be the scanning of all completed permits to archive; 8 ½ x 11 up to 24 x 36 sized sheets. • Electronic filing and record keeping using M/S Word, Adobe, Excel and Munis permitting software. • Assists Permit Technician with the intake of permit applications and building plans for new commercial and residential projects. • Assists in routing inquiries by email, in person over the counter and by telephone from the public. • Pulling completed permits and organizing them to be scanned. • Assisting the Permit Technician will be during peak times, including lunch break. • Position requires approximately 75% of time standing while scanning and for record retention, with approximately 25% of time sitting at front counter while assisting the Permit Technician. 			



- Related work and/or other duties as required.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Graduation from high school or possession of an acceptable equivalency diploma. This position requires a minimum of 2 years of administrative and/or building department experience. Valid Florida Driver's License.

PREFERRED SKILLS

The following skills are necessary to perform this position:

- Strong customer service orientation and proven organizational and interpersonal skills.
- Experience working in a building department, construction or related field a plus.
- Ability to read and understand blueprints a plus.
- Ability to communicate effectively with the public and other city employees by oral and written means.
- Ability to establish and maintain effective working relationships with contractors, public officials, co-workers, and members of the general public.
- Ability to work independently in the absence of supervision.
- Skills in organizing and prioritizing workload.
- Must be detail oriented.
- Ability to operate a variety of office equipment including, but not limited to telephone, fax machine, personal computer and copier and large format electronic scanning.
- Knowledge of M/S Word, Adobe and Excel software and other basic computer programs.
- Knowledge of Munis software program a plus.
- Knowledge of traditional and electronic filing and practices.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. On a continuous basis, work in an office environment standing for long periods of time. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, and will provide reasonable accommodations to qualified individuals with disabilities and



encourages both prospective and current employees to discuss potential accommodations with the employer.

The statements noted above are intended to describe the general nature and level of work being performed and are not to be construed as a comprehensive list of responsibilities, duties and skills required. These statements are subject to change at the discretion of the employer.

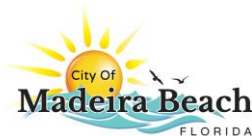
Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Grounds Maintenance Worker I		
Department/Group:	Public Works	Supervisor:	Public Works Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$15.50 - \$18.16 hr.	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL:	
Subject Line: Grounds Maintenance Worker I		City of Madeira Beach	
Attention: Human Resources – Recruiting		300 Municipal Drive	
		Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES			
Under the direction of the Public Works Director, this position is responsible for maintaining City grounds and parks as well as beautification projects.			
Description of the roles and responsibilities Include:			
<ul style="list-style-type: none"> • Attending work as scheduled. • Loading and unloading trucks with plant materials, tools, trimmings, and trash. • Planting and maintenance of trees, shrubs, and flowers, including weeding, digging, watering, repotting, trimming, watering, and mulching. • Maintaining lawns and grounds including mowing, edging, line trimming, and blowing. • Applying insecticides, fertilizers, fungicides, and weed killer as needed. • Checking and repairing irrigation systems, including pipe, time clocks, valves, and wiring. • Removing and replacing sod. • Maintaining beach accesses, including shoveling sand and removing debris such as dead fish, driftwood, tires, etc. • Using and maintaining small hand and power tools, including mowers, edger’s, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws, and power pruners. • Sweeping restrooms, pavilions and other areas as required i.e. Kitty Stuart Park, Archibald Park, Johns Pass Park, and Village • Other similar duties as assigned. 			



Marginal Functions:

- Cleaning interior and exterior of vehicles.
- Heavy equipment operation, including dump trucks, back hoes, tractors, utility trailers, sod-cutters and bob cats.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Valid State of Florida driver’s license, CDL preferred but not necessary.
- High school graduate or GED.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Knowledge of plants and ability to identify.
- Skill in use of small hand and power tools, including mowers, edger’s, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws and power pruners.
- Ability to work in adverse weather conditions.
- A working knowledge of safety precautions.
- Skill in the application of lawn maintenance chemicals, including herbicides, fungicides, insecticides and fertilizers.
- Ability to be licensed for pesticide application pursuant to Florida Statute.
- Able to work occasional overtime and civil defense recall if required.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

The statements noted above are intended to describe the general nature and level of work being performed and are not to be construed as a comprehensive list of responsibilities, duties and skills required. These statements are subject to change at the discretion of the employer.

Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	

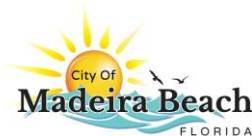


Item 6B.

Last Updated By:		Date:	
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Job Title:	Senior Grounds Maintenance Worker		
Department/Group:	Public Works	Supervisor:	Public Works Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00 - \$22.00 hr.	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Grounds Maintenance Worker I Attention: Human Resources – Recruiting			
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the direction of the Public Works Director, this position is responsible for maintaining City grounds and parks as well as beautification projects.</p> <p>Description of the roles and responsibilities Include:</p> <ul style="list-style-type: none"> • Attending work as scheduled. • Loading and unloading trucks with plant materials, tools, trimmings, and trash. • Planting and maintenance of trees, shrubs, and flowers, including weeding, digging, watering, repotting, trimming, watering, and mulching. • Maintaining lawns and grounds including mowing, edging, line trimming, and blowing. • Applying insecticides, fertilizers, fungicides, and weed killer as needed. • Checking and repairing irrigation systems, including pipe, time clocks, valves, and wiring. • Removing and replacing sod. • Maintaining beach accesses, including shoveling sand and removing debris such as dead fish, driftwood, tires, etc. • Using and maintaining small hand and power tools, including mowers, edger’s, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws, and power pruners. • Sweeping restrooms, pavilions and other areas as required i.e. Kitty Stuart Park, Archibald Park, Johns Pass Park, and Village • Other similar duties as assigned. 			



Marginal Functions:

- Cleaning interior and exterior of vehicles.
- Heavy equipment operation, including dump trucks, back hoes, tractors, utility trailers, sod-cutters and bob cats.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Valid State of Florida driver’s license, CDL preferred but not necessary.
- High school graduate or GED.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Knowledge of plants and ability to identify.
- Skill in use of small hand and power tools, including mowers, edger’s, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws and power pruners.
- Ability to work in adverse weather conditions.
- A working knowledge of safety precautions.
- Skill in the application of lawn maintenance chemicals, including herbicides, fungicides, insecticides and fertilizers.
- Ability to be licensed for pesticide application pursuant to Florida Statute.
- Able to work occasional overtime and civil defense recall if required.

ADA COMPLIANCE:

The City of Madeira Beach, Florida is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, and will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

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Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
 300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	



Item 6B.

Last Updated By:		Date:	
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City of Madeira Beach Position Description

Job Title:	Public Works Director		
Department/Group:	Public Works	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL		
Level/Salary Range:	\$83,250 - \$124,880 DOQ	Position Type:	Full Time
HR Contact:	727-391-9951	Date Posted:	03/01/2021
External Posting URL:	https://madeirabeachfl.gov/jobs	Posting Expires:	03/31/2021
Applications Accepted By:			
<p>FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov</p> <p>Subject Line: Attention: Human Resources – Recruiting</p> <p>MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708</p>			
Job Description			
ROLE AND RESPONSIBILITIES:			
<p>The City is seeking a disciplined, result oriented, professional and energetic candidate. Under the administrative direction of the City Manager this applicant is responsible for leadership, organization, direction, and coordination of the day-to-day operations of all employees and activities within the Public Works Department. The incumbent utilizes considerable independent judgement and initiative to govern in a manner that ensures compliance with the highest standards as required by state and federal regulatory agencies.</p> <ul style="list-style-type: none"> • Providing general oversight and management of multiple public works activities such as the maintenance of streets and other infrastructure, parks, storm water management, facilities maintenance, sanitation/solid water, fleet maintenance, oversees constructions projects oversees contracts, management of outside contractors and beach cleanup maintenance. • The successful candidate must possess a dedication to providing citizens with the highest quality service and support, using the most innovative and creative service delivery strategies available. 			

- The director must have a clear and obvious passion for, and be committed to, preserving the City of Madeira Beach as a premier city that strives to protect and preserve the quality of life that is uniformly enjoyed by all those who visit and reside in the community.
- The director will be responsible for ensuring compliance with the City's co-permittee status under the National Pollutant Discharge Elimination System (NPDES), created via the 1972 Clean Water Act.
- Provide and initiates recommendations, presentations, and report on a variety of Public Works functions, projects, plans and operations.
- Supervises Public Works and Sanitation personnel and responsible to assign, review and plan work of employees and maintain service, operational standards and personnel evaluations.
- Directs and participates in the development and administration of the departmental annual budget, prepares reports and recommendations concerning budgetary and staffing requirements.
- Directs contract negotiations for goods and services for Board approval.
- Attends industry-related conferences and legislative meetings as directed or required.
- Ability to manager major road and drainage projects.

QUALIFICATIONS AND EDUCATION REQUIREMENTS:

- Bachelor's Degree is required ideally in Business or Public Administration, Civil Engineering, Construction Management or related field. This degree must be supplemented by 8 years of broad scope, senior level management experience in planning and managing public works programs, resources and operations.
- Master's degree and engineering experience is preferred with 6 years of experience as described above; or an equivalent combination of education, training and/or experience.
- Must have a valid Florida Driver's License; CDL is preferred and/or able to obtain one within 6 mos. of hire date.
- A Florida Board Certified Professional Engineer is highly preferred.
- The successful candidate must have skills related to long-range transportation planning and infrastructure project construction and maintenance.
- Awareness of environmental responsibilities and ability to direct and operate the facility as needed.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Required to resolve customer problems, complaints and perform detailed and complex tasks at times with short deadlines.
- Able to respond to civil defense recall including special, emergency and/or disaster situations and the ability to work in adverse weather conditions is required.
- Performs other related work as assigned or required.

KNOWLEDGE, SKILLS AND ABILITIES:

- Knowledge of federal, state and local laws that govern all operations of the Public Works Department.
- Knowledge of the principles, practices and procedures of public and business administration.
- Knowledge of budget and accounting principles, practices and procedures.
- Knowledge and demonstrated ability to identify, manager and successfully obtain grants.
- Skill in leadership techniques and practices to evaluate and determine organizational goals and objectives, maximizing effectiveness or organizational work units through staff selection and assignments.
- Ability to interact effectively, establishing good working relationships with staff members, industry leaders, state officials, consultants, contractors and the public.
- Ability to address civic organizations or other public or private groups on subjects relative to department projects.

PHYSICAL/WORKING REQUIREMENTS:

Work is performed in an office setting and outdoors. Hand-eye coordination is necessary to operate a computer, various office equipment, screw driver, and other small hand tools. The employee may be required to operate a vehicle, street sweeper, backhoe, and fork lift or sanitation truck. The stress level for this position could be regarded as moderately “high”. While performing the duties, the employee is frequently required to sit, stand, talk, used hand to finger, handle, feel or operates objects and climb stairs. May be required to perform moderate lifting (15-50 lbs.), heavy lifting (over 50 lbs.) is occasionally required.

ADA COMPLIANCE:

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Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Recreation Grounds Maintenance Worker I		
Department/Group:	Recreation	Supervisor:	Recreation Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$15.00 - \$20.66 hr.	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	

Applications Accepted By:

FAX OR E-MAIL: (727) 399-1131 OR
humanresources@madeirabeachfl.gov
Subject Line: Recreation Grounds Maintenance Worker I
Attention: Human Resources – Recruiting

MAIL:
 City of Madeira Beach
 300 Municipal Drive
 Madeira Beach, FL 33708

Job Description

ROLE AND RESPONSIBILITIES

Under the direction of Grounds Maintenance Supervisor, this position is responsible for maintaining athletic fields, City grounds and parks as well as beautification efforts.

Description of the roles and responsibilities. Including:

- Works as a member of staff engaged in the maintenance, repair and improvement of parks, grounds, athletics fields and/or general park areas.
- Repairs and maintains athletic fields, park areas and buildings. Performs, as necessary, minor building, custodial, repair, and maintenance work.
- Mows, edges, blows, waters, weeds, aerates, and fertilizes designated athletic fields, parks and grounds.
- Operates and performs preventative maintenance and general repair of maintenance groundskeeping equipment including but not limited to, mowers, chain saws, tractors, small power equipment and similar equipment.
- Measures, lays out and lines athletic fields and courts to prescribed standards.
- Prepares fields and courts for play. Inspects for safety and maintenance needs. Completes appropriate inspections and maintenance paperwork.
- Helps repair pipes, sprinkler heads, and irrigation repairs as necessary.
- Collects trash, debris, and garbage as necessary.
- Other similar duties as assigned.

KNOWLEDGE, SKILLS, AND ABILITIES

- General knowledge of the methods, materials, and practices used in parks and grounds,

- golf course, clay/turf athletic field and courts, and general park area maintenance;
- General knowledge of the equipment used to maintain parks and grounds, golf course, clay/turf athletic fields or general park area and its safe operation;
- Ability to establish and maintain effective working relationships with associates, patrons, and the general public;
- Skilled in the operation of parks and grounds, golf course, clay/turf athletic fields and courts and general park area maintenance equipment;
- General knowledge of the tools, materials, and equipment used in general maintenance work;
- General knowledge of safety precautions applicable to the duties of the class;
- Ability to understand and follow oral and written directions;
- Ability to use common hand tools;
- Ability to operate simple machinery; and
- Ability to perform manual labor for extended periods.
- Ability to compose and send e-mail and basic computer skills to prepare evaluations.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Valid State of Florida driver's license.
- High school graduate or GED.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Skill in use of small hand and power tools, including mowers, edger's, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws and power pruners.
- Ability to work in adverse weather conditions.
- A working knowledge of safety precautions.
- Ability to work a flexible schedule that includes late nights and weekends.
- Ability to work occasional overtime and civil defense recall if required.

ADA COMPLIANCE:

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Cover letters and resumes may be included but are not accepted in lieu of application form.



All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Recreation Bus Driver		
Department/Group:	Recreation Department	Supervisor:	Recreation Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$25.00/ hour	Position Type:	Part-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Recreation Bus Driver Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES: An employee in this class is responsible for driving a multi passenger vehicle (bus, van, minivan, etc.) to transport program participants safely from one location to another. Work is normally performed under the general supervision of a higher classified employee who issues written and oral instructions. Work is reviewed by the immediate supervisor; constant supervision is not necessary for routine and repetitive tasks.</p> <ul style="list-style-type: none"> • Completes a daily bus trip log, pre-trip and post trip inspections, accident/incident reports • Performs weekly maintenance of bus including interior and exterior cleaning • Operates a child safety alarm system, video surveillance system and passenger ADA ramp/lift • May be required to work nights, weekends and holidays • Performs related work as required. <p>QUALIFICATIONS AND EDUCATION REQUIREMENTS:</p> <ul style="list-style-type: none"> • High School Diploma or a G.E.D. • Must possess a Pediatric CPR/First Aid certificate or obtain within 90 days of employment • Must possess a current and valid State of Florida CDL-B Driver's License with School Bus and Passenger endorsement • Must maintain an acceptable driving record • Must pass a medical examination for commercial driver fitness • Must pass a fingerprinting/background screening process prior to employment • Ability to inspect and properly use a fire extinguisher 			



- Completes all licensing in-service training sessions and maintain current licensing requirements for file

ADDITIONAL NOTES:

Reasonable accommodation consideration will be given to otherwise qualified individuals with a disability.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Recreation Leader II		
Department/Group:	Recreation	Supervisor:	Recreation Director
Location:	Madeira Beach Recreation Center 200 rex Place Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00 - \$20.50 per hour	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open Until Filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Rec. Leader II Attention: Human Resources – Recruiting			
Job Description			
<p>POSITION OVERVIEW: Under the direction of the Recreation Director, project leader of facility rentals (weddings, parties, etc.), assist in special event coordination, assist in developing senior and fitness programs and work as needed as an after care and summer camp counselor. Weekend availability is a MUST.</p> <p>ROLE AND RESPONSIBILITIES: Keep meticulous scheduling and financial records and act as the City’s representative for facility rentals and events. Assist in producing monthly schedules, interviewing instructors and growing Fitness programming.</p> <p>DESCRIPTION OF THE ROLES AND RESPONSIBILITIES:</p> <ul style="list-style-type: none"> • Attending work as scheduled. • Registering participants for fitness programs and maintaining all necessary information on each participant. • Interview potential Fitness Instructors. • Project leader for Event and Facility Rentals. • Obtain all necessary Recreation Certifications as determined by the Director. • Ensuring that all applicable licensing requirements are met. • Planning, scheduling and coordinating Senior trips and activities. • Collecting fees and maintaining records of payment for facility rentals. • Scheduling appropriate staff for all activities. • Notifying all necessary parties about recreation activities and schedules/reschedules. • Representing the City to program participants, their families, and City residents. • Must be available to work weekends when necessary. • Other similar duties as assigned. 			

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Valid State of Florida driver’s license.
- Graduation from High School or GED equivalent required; College degree in event Planning and /or Recreation preferred.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Previous experience with recreation programs.
- Must be bondable.
- Able to work flexible hours, including days, evenings, weekends, and holidays and occasional overtime as required.
- Working knowledge of safety precautions and first aid.
- Must have or able to get CPR certification within 60 days.
- Must meet all applicable state licensing requirements.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Recreation Grounds Maintenance Supervisor		
Department/Group:	Recreation	Supervisor:	Recreation Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 - \$28.00 hr.	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Recreation Grounds Maintenance Supervisor			
Attention: Human Resources – Recruiting			
Job Description			
<u>ROLE AND RESPONSIBILITIES</u>			
<p>Under the direction of the Recreation Director, this position is responsible for maintaining athletic fields, City grounds and parks, beautification efforts, as well as directing and supervising the Grounds Maintenance Worker I position.</p> <p>Description of the roles and responsibilities. Including:</p> <ul style="list-style-type: none"> • Works as a member of staff engaged in the maintenance, repair and improvement of parks, grounds, athletics fields and/or general park areas. • Repairs and maintains athletic fields, park areas and buildings. Performs, as necessary, minor building, custodial, repair, and maintenance work. • Mows, edges, blows, waters, weeds, aerates, and fertilizes designated athletic fields, parks and grounds. • Operates and performs preventative maintenance and general repair of maintenance groundskeeping equipment including but not limited to, mowers, chain saws, tractors, small power equipment and similar equipment. • Measures, lays out and lines athletic fields and courts to prescribed standards. • Prepares fields and courts for play. Inspects for safety and maintenance needs. Completes appropriate inspections and maintenance paperwork. • Helps repair pipes, sprinkler heads, and irrigation repairs as necessary. • Collects trash, debris, and garbage as necessary. • Other similar duties as assigned. 			
<u>KNOWLEDGE, SKILLS, AND ABILITIES</u>			

- General knowledge of the methods, materials, and practices used in parks and grounds, golf course, clay/turf athletic field and courts, and general park area maintenance;
- General knowledge of the equipment used to maintain parks and grounds, golf course, clay/turf athletic fields or general park area and its safe operation;
- Ability to establish and maintain effective working relationships with associates, patrons, and the general public;
- Skilled in the operation of parks and grounds, golf course, clay/turf athletic fields and courts and general park area maintenance equipment;
- General knowledge of the tools, materials, and equipment used in general maintenance work;
- General knowledge of safety precautions applicable to the duties of the class;
- Ability to understand and follow oral and written directions;
- Ability to use common hand tools;
- Ability to operate simple machinery; and
- Ability to perform manual labor for extended periods.
- Ability to compose and send e-mail and basic computer skills to prepare evaluations.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Valid State of Florida driver's license.
- High school graduate or GED.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Skill in use of small hand and power tools, including mowers, edger's, weed eaters, weed diggers, shovels, rakes, brooms, blowers, pitchforks, hoses, chain saws and power pruners.
- Ability to work in adverse weather conditions.
- A working knowledge of safety precautions.
- Ability to work a flexible schedule that includes late nights and weekends.
- Ability to work occasional overtime and civil defense recall if required.

ADA COMPLIANCE:

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Cover letters and resumes may be included but are not accepted in lieu of application form.



All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Recreation Director		
Department/Group:	Recreation	Supervisor:	City Manager
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$90,043 – 110,000/ Annually	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Recreation Director Attention: Recruiting or Human Resources Department		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES Responsible for assisting in overseeing all things Recreation. Primary duties will be responsibility of managing the budget; programming/managing recreation database software; city-wide recreation programming and Child Services Division (which includes bus transportation coordination and County licensing duties). Responsibilities also include management of social media and City-wide brand management. Other duties will include, but not limited to, assisting in athletics, promotions, special events and liaison with outside consultants/promoters.			
<ul style="list-style-type: none"> • Directs all departmental functions, i.e.: recreation, childcare services, parks/athletic field maintenance, cultural affairs programming, and special events. • Prepare and manage annual budget, developing internal control policies, guidelines, and procedures for activities such as budget administration, cash and credit management. • Programs, manages and maintains recreation database software and trains staff, when needed. • Manages the Child Services Division of the Recreation Department and ensures that appropriate staffing, training and paperwork are in accordance with Pinellas County Licensing Board (acts as liaison to the PCLB). • Handles personnel issues, performance evaluations, purchasing procedures, etc. • Assists in planning for future park improvements and recreation and cultural affairs activities and programs. 			



- Evaluates whether current programs are meeting the needs of the citizens and community.
- Attends and conducts meetings, gives oral presentations, prepares reports, maintains records.
- Coordinates capital improvement projects with other City departments.
- Reviews, analyzes and prepares departmental operating and capital budgets.
- Oversees Recreation's social media and overall "brand" management.
- Meets with citizens and outside organizations and answers and investigates complaints.

DEVELOPING OBJECTIVE AND STRATEGIES – ESTABLISHING LONG-RANGE OBJECTIVES AND SPECIFYING THE STRATEGIES AND ACTIONS TO ACHIEVE THEM.

Graduation from an accredited four year college or university with a Bachelor's Degree in Recreation, Physical Education or a related field. Five (5) years progressively responsible experience in recreational administration with three (3) years in a supervisory role. A comparable amount of training, education or experience can be substituted for the minimum qualifications.

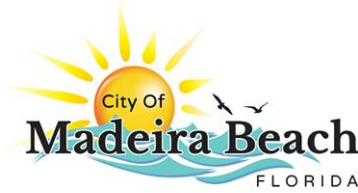
Possession of a valid Florida Driver's License, Class B, with "School Bus", "Passenger" and "Air Brake" endorsements. "Certified Parks and Recreation Professional" designation under NRPA desired, willing and able to attain professional certifications and licenses, when needed. (i.e.: DCF Child Care Director Credential, CDL Class B license and etc.)

PREFERRED SKILLS

- Knowledge of recreational programming, principles, and procedures.
- Knowledge of modern personnel management practices.
- Knowledge of turf management and horticulture.
- Knowledge of park maintenance equipment and recreation equipment.
- Ability to motivate and lead subordinate staff.
- Ability to plan the most cost-effective use of staff and equipment.
- Ability to develop innovative ways of generating revenues for parks, recreation and cultural arts facilities and programs.
- Skill in developing subordinate staff and holding them accountable to plan and carry out parks and recreation programs and cultural enhancements.
- Skill in use of a computer in a network environment for analysis and report development.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator

300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Recreation Supervisor		
Department/Group:	Recreation	Supervisor:	Recreation Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$17.46 hr. - \$27.50 hr.	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open Until Filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Recreation Supervisor Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
ROLES AND RESPONSIBILITIES: Under the direction of the Recreation Director, responsible work, in a lead capacity, as the child care director for the recreation afterschool and summer camp programs.			
<ul style="list-style-type: none"> • Maintain Licensing standards set forth by Pinellas County Licensing Board and the State of Florida. • Responsible for the daily operations of the child care center, including child safety and accountable for student care. • Manages a staff of counselors, interviewing and recommending hires. • Provide staff training for all required licensing. • Review all student enrollment records to make sure they are filled out correctly. • Keep accurate records of child care attendance as required by PCLS and the State of Florida. • Responsible for maintaining current staff files, making sure they are up to date and training are completed and recorded in their file as required by the PCLB and the State of Florida. • Manage staff attendance and schedules so be sure the proper number of counselors are on-site at all times based on required licensing ratios. • Manage annual budget for child care and summer camp. • Purchase supplies, equipment and reconcile credit card purchases monthly. • Responsible to calculate account balances, record payments, prepare deposits and mail invoices. • Able to assist with specialized classes and attendance; also collects and receipts money for recreation activities, afterschool care and rentals. 			



- Direct the daily activities for the afterschool program and coordinates all recreation programs for summer youth camps.
- Assists in the planning and carrying out of special events and activities.
- Assists in coordinating marketing and promotional activities year-round.
- Conducts research to improve programs and operations.
- Oversees the use of all equipment, inventory and cleaning and maintenance of items used in programs.
- Required to be available at all times the child care facility is in operation.

MINIMUM QUALIFICATIONS AND REQUIREMENTS

- High School Diploma or GED, and hold a valid Florida Driver's License.
- Knowledge of the principles and practices used in organizing and directing play and recreation activities.
- Knowledge of rules and regulations governing afterschool care programs.
- Ability to establish and maintain effective working relationships with employees and general public.
- Ability to supervise subordinates and volunteers effectively.
- Ability to work effectively with children and young adults.
- Must possess and become CPR / First Aide certified.
- Must be able to work within a flexible schedule.

EDUCATION AND EXPERIENCE

- Associate's Degree required.
- Bachelor's Degree in Parks and Recreation or closely related field preferred.
- Must possess and maintain DCF Florida Child Care Staff Credentials (or be able to obtain Credential within first year of hire).
- Must possess and maintain a valid CDL, class B, Driver's License with School Bus Endorsement (or be able to obtain CDL within first 6 months of hire).
- Must be able to pass a Level II Background Check.

ESSENTIAL PHYSICAL SKILLS

- Acceptable eyesight and hearing.
- Ability to communicate both orally and in writing.
- Moderate (15 to 44 pounds) lifting and carrying.
- Walking, bending, kneeling, stooping and have overall physical agility.
- Work inside in an office environment and outside in a playground and athletic fields environment, sometimes in extreme heat.



ADA COMPLIANCE:

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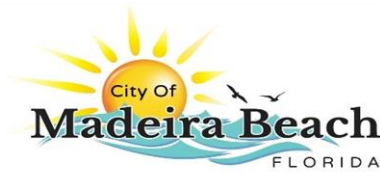
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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
 300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Records Clerk Administrative Assistant		
Department/Group:	City Clerk's Office	Supervisor:	City Clerk
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 - \$24.95	Position Type:	Full Time
HR Contact:	HR Director	Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Records Clerk Admin Asst. Attention: Recruiting or Human Resources Department			
Job Description			
ROLE AND RESPONSIBILITIES <p>Under the direction of respective Department Director or designee, the Administrative Assistant provides clerical support to the respective City Department.</p> <ul style="list-style-type: none"> • Answers multi-line telephone, routing calls, retrieving/taking and distributing messages, coordinating meetings and other activities. • Provides information and assistance to residents and other members of the public. • Word processing of correspondence, forms, documents, reports and similar text. • Updates and maintains a records management system • Performing data entry tasks • Retrieves information from the filing system when requested • Files correspondence, forms, documents, reports, purchase orders and other miscellaneous documents. • Implements department decisions within established parameters. • Records and types minutes of meetings when needed. • Reviews invoices for receipt of goods and services and verifying appropriate charges. • Sorts and distributes incoming mail and preparing outgoing mail. • Maintains various administrative records in compliance with records retention requirements. • Performs complex secretarial tasks in an independent nature. • Performs tasks in a confidential manner when necessary or requested (i.e. HIPPA). • Archives inactive records. 			

- Other duties as assigned.
- Interacting with Computers – Using computers and computer systems (including hardware and software) to set up functions, enter data and process information.
- Getting Information – Observing, receiving, and otherwise obtaining information from all relevant sources.
- Performing Administrative Work– Performing day-to-day administrative tasks such as maintaining information files and processing paperwork.
- Getting and Processing Information – Observing, receiving, and otherwise obtaining information from all relevant sources. Compiling, coding, categorizing, calculating, tabulating, auditing, or verifying information or data.
- Documenting/Recording Information – Entering, transcribing, recording, storing, or maintaining information in written or electronic/magnetic form.
- Organizing, Planning, and Prioritizing Work – Developing specific goals and plans to prioritize, organize, and accomplish our work.
- Communicating with Supervisors, Peers, or Subordinates – Providing information to supervisors, co-workers, and subordinates by telephone, in written form, e-mail, or in person.
- Communicating with Persons Outside the Organization – Communicating with people outside the organization, representing the City to customers, the public, other government entities, and other external sources. This information can be exchanged in person, in writing, or by telephone or e-mail.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Previous experience as administrative assistant or senior clerical with at least two years' experience in position of responsibility. The applicant must have demonstrated the ability to perform job functions listed, either through related experience or specialized training. A high school graduate (or GED equivalent) with course work in word processing and related office procedures is required.

PREFERRED SKILLS

Knowledge

- Clerical - Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, designing forms and other office procedures and terminology.
- Customer and Personal Service – Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- English Language – Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- Computer and Electronics – Knowledge of software including applications. Knowledge of fax machines, postage machines, and copiers.

Skills

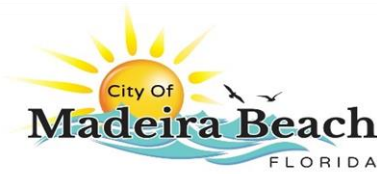
- Active Listening – Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- Reading Comprehension – Understanding written sentences and paragraphs in work related documents.
- Writing – Communicating effectively in writing as appropriate for the needs of the audience.
- Speaking – Talking to others to convey information effectively.
- Time Management – Managing one’s own time and prioritizing work load and schedule.
- Active Learning – Understanding the implications of new information for both current and future problem-solving and decision-making.

Abilities

- Oral Comprehension and Expression – The ability to listen to and understand information and ideas presented through spoken words and sentences.
- Written Expression – The ability to communicate information and ideas in writing so others will understand.
- Special Recognition and Clarity – The ability to identify and understand the speech of another person and the ability to speak clearly so others can understand you.
- Near Vision – The ability to see details at close range (within a few feet of the observers).
- Problem Sensitivity – The ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing there is a problem.

ADDITIONAL NOTES

- Physical Requirements - This job requires 85% of the workday sitting at a desk with 15% of the time spent walking, bending, stooping, twisting, turning, and occasionally lifting weight under 25#.
- Eye-hand coordination is required for the use of calculators, computers, fax and copy machines.
- Reasonable accommodation consideration will be made for otherwise qualified individuals as defined by the Americans with Disability Act.
- Environmental Features – This position requires working indoors in environmentally controlled conditions. May require accepting criticism and dealing calmly and effectively with high stress situations.
- Therefore it is imperative to maintain composure, keeping emotions in check, controlling anger, and avoiding aggressive behavior even in very difficult situations.



- This position requires being open to change (positive or negative) and to considerable variety in the workplace.
- Able to work overtime, civil defense recall and occasional weekend and holidays as required.

ADDITIONAL NOTES

Requires the mobility and manual dexterity to work in a standard office environment, use standard office equipment and attend off-site meetings; speech and hearing to communicate in person and by telephone; vision to read handwritten and printed materials and a computer screen; and strength and agility to lift and carry items weighing up to 20 pounds. Some accommodations may be made for some physical demands for otherwise qualified individuals who require and request such accommodations.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator

300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Recreation Leader III		
Department/Group:	Recreation	Supervisor:	Recreation Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 - \$27.00 hour	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open Until Filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Recreation Leader III Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLES AND RESPONSIBILITIES: Under the direction of the Recreation Director, the Recreation Leader II must be responsible work, in a lead capacity, involving a variety of recreation activities at a recreation facility and/or adjacent grounds. Assignments may require holidays, evening, and weekend hours.</p> <ul style="list-style-type: none"> • Greets Recreation Center guests and maintains records of specialized classes and attendance; also collects and receipts money for recreation activities and rentals. • Assists in the organization of athletic leagues which would include scheduling, hiring of officials, registration, etc. • Assists in the day-to-day operations of the After-School Care Program as needed and helps coordinate recreation programs for youth, which may include day camps. • Assists in the planning and carrying out of special events and activities. • Assists in coordinating marketing and promotional activities year-round. • Conducts research to improve programs and operations. • Assists with ballfield maintenance, grounds maintenance for City Centre, ROC park and maintenance of all recreation facilities. • Oversees the use of all equipment and inventory items used in programs. • Plans, organizes and implements one or more recreational activities of a specialized nature as assigned. • Performs related work as required. <p>(Essential job functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills and other characteristics. This list of tasks is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class).</p>			
MINIMUM QUALIFICATIONS AND REQUIREMENTS			



- Knowledge of the principles and practices used in organizing and directing play and recreation activities.
- Knowledge of rules and regulations governing various competitive athletic games.
- Ability to establish and maintain effective working relationships with employees and general public.
- Ability to lead subordinates and volunteers effectively.
- Ability to work effectively with children and young adults.
- Ability to operate a PC in a networked environment.
- Must be able to work within a flexible schedule, which may include flexing hours to work nights and weekends.

(A comparable amount of training or experience may be substituted for the minimum qualifications.)

EDUCATION AND EXPERIENCE

- Bachelor's Degree in Parks and Recreation or closely related field preferred.
- One (1) year previous experience relating to recreation program/special event coordination.
- Must possess and maintain a valid Florida Driver's License.
- Must possess and maintain CPR / First Aide certification.
- Must possess and maintain a valid CDL, class B, Driver's License with School Bus Endorsement (or be able to obtain CDL within first 6 months of hire).
- Must be able to pass a Level II Background Check.
- Must possess and maintain DCF Florida Child Care Staff Credential (or be able to obtain Credential within first year of hire).

ESSENTIAL PHYSICAL SKILLS

- Acceptable eyesight and hearing.
- Ability to communicate both orally and in writing.
- Moderate (15 to 44 pounds) lifting and carrying.
- Walking, bending, kneeling, stooping, physical agility.
- Work inside in an office environment and outside in a playground and athletic fields environment, sometimes in extreme heat.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Recreation Leader I		
Department/Group:	Recreation Department	Supervisor:	Recreation Director
Location:	Madeira Beach Recreation Building 200 Rex Place Madeira Beach, FL 33708		
Level/Salary Range:	\$15.21 - \$18.46 hr.	Position Type:	Part-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Recreation Leader I Attention: Human Resources – Recruiting			
Job Description			
ROLE AND RESPONSIBILITIES: Under the direct supervision of the Recreation Director the Recreation Leader I monitors participants involved in recreation programs. <ul style="list-style-type: none"> • Attending work as scheduled • Registering participants for programs, maintaining all necessary information on each participant. • Monitoring groups of participants in both indoor and outdoor settings. • Maintaining a safe recreational environment. • Teaching skills of various games and sports, such as dodge ball, hockey, tennis, baseball, football, soccer, etc. • Providing information, in person and on the telephone, regarding the Recreation Department’s programs. • Representing the City to program participants, their families, and City residents. • Cleaning up activity area, making sure all supplies and equipment are returned to their proper place. • Maintaining a clean recreation area, both in the building and on the grounds. 			
QUALIFICATIONS AND EDUCATION REQUIREMENTS: <ul style="list-style-type: none"> • Valid State of Florida driver’s license. • Graduation from High School or GED equivalent; course work in early childhood education/recreation or teaching preferred. • Demonstrated ability to perform job duties listed, either through related experience or specialized course work. • Previous experience with recreation or childcare. • Able to work flexible part-time hours, including days, evenings, weekends, and holidays 			



and occasional overtime as required.

- Working knowledge of safety precautions and first aid.
- Must have or able to get CPR certification within 60 days.
- Must meet all applicable state licensing requirements.

ENVIRONMENTAL CONDITIONS

Performance of essential functions may require exposure to adverse environmental conditions, such as dirt, dust, pollen, odors, wetness, humidity, rain, and extreme temperature.

ADA COMPLIANCE

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THE STATEMENTS NOTED ABOVE ARE INTENDED TO DESCRIBE THE GENERAL NATURE AND LEVEL OF WORK BEING PERFORMED AND ARE NOT TO BE CONSTRUED AS A COMPREHENSIVE LIST OF RESPONSIBILITIES, DUTIES AND SKILLS REQUIRED. THESE STATEMENTS ARE SUBJECT TO CHANGE AT THE DISCRETION OF THE EMPLOYER

Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP



Job Title:	Senior Parking Enforcement Officer		
Department/Group:	Parking Department	Supervisor:	Parking Supervisor
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00 - \$22.00	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Attention: Human Resources – Recruiting			
Job Description			
ROLE AND RESPONSIBILITIES			
<p>Under the supervision of the Parking Enforcement Supervisor, the Senior Parking Enforcement Officer (PEO) ensures proper parking regulations are followed in the City of Madeira Beach. In addition to the Parking Enforcement Office’s primary responsibility of issuing citations for parking violations throughout the City, the PEO is responsible for providing first-class customer service to our guests.</p> <ul style="list-style-type: none"> • Work as scheduled hours per week, including weekends, holidays, and occasional overtime as needed. • Provide general information to visitors and residents. • Complete and file citations as well as related reports. • Assist with installation and/or removal of parking related signage as zone numbers or rates change. • Other duties as assigned. 			
QUALIFICATIONS REQUIRED / KNOWLEDGE / EXPERIENCE			
<ul style="list-style-type: none"> • A high school diploma or GED is required. • The applicant must also possess a valid Florida Driver’s License or be able to obtain one upon employment. 			



KNOWLEDGE / SKILLS / ABILITIES

- Identify and address parking-related ordinance violations.
- Ability to deal with the public effectively, courteously, and tactfully.

Respond professionally and courteously to public inquiries.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Senior Administrative Assistant		
Department/Group:		Supervisor:	
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 - \$27.50 hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Administrative Assistant II Attention: Recruiting or Human Resources Department		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the direction of respective Department Director or designee, the Senior Administrative Assistant provides clerical support to the respective City Department.</p> <ul style="list-style-type: none"> • Attends work as scheduled. • Answers multi-line telephone, routing calls, retrieving/taking and distributing messages, coordinating meetings and other activities. • Provides information and assistance to residents and other members of the public. • Word processing of correspondence, forms, documents, reports and similar text. • Enters data into complex specialized software programs and generating reports. • Files correspondence, forms, documents, reports, purchase orders and other miscellaneous documents. • Implements department decisions within established parameters. • Records and types minutes of meetings as required. • Orders, researches, and obtains quotes and inventories supplies and equipment; prepares purchase orders for Department Director approval. • Reviews invoices for receipt of goods and services and verifying appropriate charges. • Sorts and distributes incoming mail and preparing outgoing mail. • Prepares cash drawer, if applicable. • Maintains various administrative records in compliance with records retention requirements. • Performs complex secretarial tasks in an independent nature. • Performs tasks in a confidential manner when necessary or requested (i.e. HIPPA). • Archives inactive records. 			

- Provides coverage or
- Back-up for the front desk and switchboard as required.
- Other duties as assigned.
- Interacting with Computers – Using computers and computer systems (including hardware and software) to set up functions, enter data and process information.
- Getting Information – Observing, receiving, and otherwise obtaining information from all relevant sources.
- Performing Administrative Work– Performing day-to-day administrative tasks such as maintaining information files and processing paperwork.
- Getting and Processing Information – Observing, receiving, and otherwise obtaining information from all relevant sources. Compiling, coding, categorizing, calculating, tabulating, auditing, or verifying information or data.
- Documenting/Recording Information – Entering, transcribing, recording, storing, or maintaining information in written or electronic/magnetic form.
- Organizing, Planning, and Prioritizing Work – Developing specific goals and plans to prioritize, organize, and accomplish our work.
- Establishing and Maintaining Interpersonal Relationships – Developing constructive and cooperative work relationships with others, and maintaining them over time.
- Communicating with Supervisors, Peers, or Subordinates – Providing information to supervisors, co-workers, and subordinates by telephone, in written form, e-mail, or in person.
- Communicating with Persons Outside the Organization – Communicating with people outside the organization, representing the City to customers, the public, other government entities, and other external sources. This information can be exchanged in person, in writing, or by telephone or e-mail.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Previous experience as administrative assistant or senior clerical with at least two years of experience in a position of responsibility. The applicant must have demonstrated the ability to perform job functions listed, either through related experience or specialized training. A high school graduate (or GED equivalent) with course work in word processing and related office procedures is required.

PREFERRED SKILLS

Knowledge

- Clerical - Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, designing forms and other office procedures and terminology.
- Customer and Personal Service – Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.

- English Language – Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- Computer and Electronics – Knowledge of software including applications. Knowledge of fax machines, postage machines, and copiers.

Skills

- Active Listening – Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- Reading Comprehension – Understanding written sentences and paragraphs in work related documents.
- Writing – Communicating effectively in writing as appropriate for the needs of the audience.
- Speaking – Talking to others to convey information effectively.
- Time Management – Managing one’s own time and prioritizing work load and schedule.
- Active Learning – Understanding the implications of new information for both current and future problem-solving and decision-making.

Abilities

- Oral Comprehension and Expression – The ability to listen to and understand information and ideas presented through spoken words and sentences.
- Written Expression – The ability to communicate information and ideas in writing so others will understand.
- Special Recognition and Clarity – The ability to identify and understand the speech of another person and the ability to speak clearly so others can understand you.
- Near Vision – The ability to see details at close range (within a few feet of the observers).
- Problem Sensitivity – The ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing there is a problem.

ADDITIONAL NOTES

- Physical Requirements - This job requires 85% of the workday sitting at a desk with 15% of the time spent walking, bending, stooping, twisting, turning, and occasionally lifting weight under 25lbs.
- Eye-hand coordination is required for the use of calculators, computers, fax and copy machines.
- Reasonable accommodation consideration will be made for otherwise qualified individuals as defined by the Americans with Disability Act.
- Environmental Features – This position requires working indoors in environmentally controlled conditions. May require accepting criticism and dealing calmly and effectively with high stress situations.



- Therefore it is imperative to maintain composure, keeping emotions in check, controlling anger, and avoiding aggressive behavior even in very difficult situations.
- This position requires being open to change (positive or negative) and to considerable variety in the workplace.
- Able to work overtime, civil defense recall and occasional weekend and holidays as required.

ADA COMPLIANCE:

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Cover letters and resumes may be included but are not accepted in lieu of application form. All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
 300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	

Job Title:	Lead Mechanic		
Department/Group:	Central Services	Supervisor:	Public Works Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.88 – \$29.75 /Hour	Position Type:	Part Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Sanitation Mechanic Attention: Recruiting or Human Resources Department		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the limited supervision of the Public Works Director, the Mechanic is responsible for maintaining City vehicles and equipment.</p> <ul style="list-style-type: none"> • Attending work as scheduled. • Examine vehicles to determine extent of damage or malfunctions. • Test drive vehicles, and test components and systems, using equipment such as infrared engine analyzers, compression gauges, and computerized diagnostic devices. • Repair, reline, replace, and adjust brakes. • Review work orders and discuss work with supervisors. • Follow checklists to ensure all important parts are examined, including belts, hoses, steering systems, spark plugs, brake and fuel systems, wheel bearings, and other potentially troublesome areas. • Plan work procedures, using charts, technical manuals, and experience. • Test and adjust repaired systems to meet manufacturers' performance specifications. • Confer with staff to obtain descriptions of vehicle problems, and to discuss work to be performed and/or future repair requirements. • Perform routine and scheduled maintenance services such as oil changes, lubrications, and tune-ups. • Disassemble units and inspect parts for wear, using micrometers, calipers, and gauges. • Other duties as assigned. • Performing General Physical Activities – Performing physical activities that require considerable use of your arms and legs and moving your whole body, such as climbing, lifting, balancing, walking, stooping, and handling of materials. • Repairing and Maintaining Mechanical Equipment — Servicing, repairing, adjusting, and 			

testing machines, devices, moving parts, and equipment that operate primarily on the basis of mechanical (not electronic) principles.

- Making Decisions and Solving Problems — analyzing information and evaluating results to choose the best solution and solve problems.
- Getting Information — observing, receiving, and otherwise obtaining information from all relevant sources.
- Identifying Objects, Actions, and Events — identifying information by categorizing, estimating, recognizing differences or similarities, and detecting changes in circumstances or events.
- Updating and Using Relevant Knowledge — Keeping up-to-date technically and applying new knowledge to your job.
- Inspecting Equipment, Structures, or Material — Inspecting equipment, structures, or materials to identify the cause of errors or other problems or defects.
- Analyzing Data or Information — Identifying the underlying principles, reasons, or facts of information by breaking down information or data into separate parts.
- Operating Vehicles, Mechanized Devices, or Equipment — Running, maneuvering, navigating, or driving vehicles or mechanized equipment, such as forklifts, passenger vehicles, aircraft, or water craft.
- Processing Information — Compiling, coding, categorizing, calculating, tabulating, auditing, or verifying information or data
- Handling and Moving Objects – Using hands and arms in handling, installing, positioning, and moving materials, and manipulating things.
- Operating Vehicles, Mechanized Devices, or Equipment - Running, maneuvering, navigating, or driving vehicles or mechanized equipment, such as forklifts, passenger vehicles, riding lawnmowers, etc.
- Communicating with Supervisors, Peers, or Subordinates – Providing information to supervisors co-workers, and subordinates by telephone, in written form, e-mail, or in person.
- Monitor Processes, Materials, or Surroundings – Monitoring and reviewing information from materials, events, or the environment, to detect or assess problems.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

Skill in operation of heavy equipment, power tools and small hand tools. Demonstrated ability to perform job duties listed, either through related experience or specialized course work. A high school diploma or GED required. Previous experience preferred.

Individuals working primarily in stormwater will be required to obtain a Class “C” (stormwater Field Technician) within one year or as school schedule permits. The applicant must possess valid Florida Commercial Drivers License.

PREFERRED SKILLS

Knowledge

- Mechanical – Knowledge of machines and tools, including their designs, uses, repair, and maintenance.
- Computers and Electronics — Knowledge of circuit boards, processors, chips, electronic equipment, and computer hardware and software, including applications and programming.
- Customer and Personal Service — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- Education and Training — Knowledge of principles and methods for curriculum and training design, teaching and instruction for individuals and groups, and the measurement of training effects.

Abilities

- Oral Expression and Comprehension – The ability to communicate information and ideas in speaking so others will understand and the ability to listen to and understand information and ideas presented through spoken words and sentences.
- Problem Sensitivity — the ability to tell when something is wrong or is likely to go wrong. It does not involve solving the problem, only recognizing there is a problem.
- Deductive Reasoning — the ability to apply general rules to specific problems to produce answers that make sense.
- Inductive Reasoning — the ability to combine pieces of information to form general rules or conclusions (includes finding a relationship among seemingly unrelated events).
- Information ordering — The ability to arrange things or actions in a certain order or pattern according to a specific rule or set of rules (e.g., patterns of numbers, letters, words, pictures, mathematical operations).
- Arm-Hand Steadiness — The ability to keep your hand and arm steady while moving your arm or while holding your arm and hand in one position.
- Near Vision — The ability to see details at close range (within a few feet of the observer).
- Flexibility of Closure — The ability to identify or detect a known pattern (a figure, object, word, or sound) that is hidden in other distracting material.
- Manual Dexterity — The ability to quickly move your hand, your hand together with your arm, or your two hands to grasp, manipulate, or assemble objects.
- Control Precision — the ability to quickly and repeatedly adjust the controls of a machine or a vehicle to exact positions.
- Finger Dexterity — The ability to make precisely coordinated movements of the fingers of one or both hands to grasp, manipulate, or assemble very small objects.
- Speech Clarity – The ability to speak clearly so others can understand you.
- Static Strength – The ability to exert maximum muscle force to lift, push, pull or carry objects over 25 lbs.

ADA COMPLIANCE:

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individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

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All applications will become public record under Florida law.

AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator

300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Senior Marina Attendant		
Department/Group:	Marina	Supervisor:	Marina Manager
Location:	Madeira Beach Municipal Marina 503 150 th Ave. Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00-24.95/hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR /MADEIRABEACHFL.GOV/JOBS Subject Line: Senior Marina Attendant Attention: Human Resources – Recruiting		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the direction of the Marina Supervisor or designee, this is a responsible skilled worker delivery of services to the boating public.</p> <ul style="list-style-type: none"> • An employee in this classification is responsible for the safe and efficient operation of a marine fueling facility, cleaning public docks, bait house and surrounding areas. • Assists in dispensing marine fuels and lubricants to a variety of watercraft. • Ensures that all appropriate safety precautions are observed at the marina and pier/bait house. • Receives and accounts for cash, and processes checks and credit card sales. • Prepares daily shift reports and records. • Assigns slip to transient vessels and assists vessels in mooring. • Monitors docks, piers, and moored watercraft through periodic inspections. • Adjusts and re-positions mooring lines as needed. • Answer’s telephone calls and provides marine and fishing related information. • Collects fees for rentals and resale items. • Performs minor maintenance, custodial assignments, and other marine or pier/bait house tasks as directed. • Other assignments as directed. <p>QUALIFICATIONS AND EDUCATION REQUIREMENTS</p> <ul style="list-style-type: none"> • Graduation from high school or GED equivalent required. • Completed or the ability to complete the Florida Boating Safety Education Program. 			



- Previous experience related to customer service, retail and marina operations required.
- Knowledge of local waterways, tides, winds, hurricane tendencies and general weather patterns.
- Knowledge of standard marine practices related to watercraft operations, moorings and docking procedures, and marine fuel handling.
- Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Must be able to work weekends and holidays.
- Able to work occasional overtime and civil defense recall if required.

WORK ENVIRONMENT

The work environment is usually quiet in the office and moderate to loud in outdoors. On a daily basis will be exposed to outdoor conditions, in all types of weather situations in managing and coordinating marina operations, sometime in extreme heat.

PHYSICAL DEMANDS

Hand-eye coordination is necessary to operate a computer, calculator, and various office equipment, screw driver, and other small hand tools. The employee may be required to operate a boat, vehicle or truck. While performing the duties, the employee is frequently required to sit, stand, talk, used hand to finger, handle, feel or operates objects and climb stairs. May be required to perform moderate lifting (15-50 lbs.), heavy lifting (over 50 lbs.) is occasionally required.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com

Reviewed By:		Date:	
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Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Stormwater Supervisor		
Department/Group:	Public Works	Supervisor:	Public Works Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$22.95 - \$30.00 hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Public Works Supervisor Attention: Human Resources – Recruiting			
Job Description			
<p>Under the direction of the Public Works Director, this position is responsible for the maintenance of City streets and stormwater drains. Coordinates, schedules and reviews work of assigned staff.</p> <p>ROLE AND RESPONSIBILITIES: Responsible supervisory work overseeing the operation, maintenance and repair of the City’s stormwater and streets divisions. Recommends needed repairs and maintenance to Public Works Director.</p> <ul style="list-style-type: none"> • Attending work as scheduled. • Performs work related to the installation, maintenance and repair of stormwater lines and lift station equipment and systems. • Performs work related to streets repairs, signage, boardwalk and beach groins. • Reviews records and charts relating to stormwater. • Ensures staff training of occupational hazards and use of safety precautions. • Ability to read and interpret sketches and blue prints. • Estimates costs and quantities for various projects. • Assists in preparation of design and specifications for various capital improvement projects. • Prepares purchase orders for Department Director approval for all purchases made within streets, stormwater department. • Operates gas powered equipment, jack hammer, concrete saw, drills, gas detectors, and other hand and power tools. 			



- Uses safety precautions, especially when utilizing power equipment.
- Providing information to citizens.
- Other similar duties as assigned.
- Picking up supplies.
- Operating heavy equipment, including dump trucks, backhoes and street sweeper.
- Making minor equipment repairs and minor building maintenance.

QUALIFICATIONS AND EDUCATION REQUIREMENTS:

- High school diploma or GED equivalent required with a minimum of two years college. Trade certifications may substitute for some college.
- Must have valid Florida Driver's License with CDL endorsement or able to obtain CDL within probationary period.
- Three years progressive experience in stormwater and sewer systems. Previous experience in streets.
- Previous supervisory experience preferred.
- Must possess a Class "C", Stormwater Field Technician certification.
- Able to work in confined spaces.
- Demonstrated ability to perform job duties listed, either through related experience or specialized training.
- Skill in operation of heavy equipment, power tools and small hand tools.
- Able to work "on-call" and accessible by cell phone (may rotate call to qualified staff).
- Able to respond to civil defense recall if required.
- Able to work in adverse weather conditions.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	



Job Title:	Senior Stormwater Technician		
Department/Group:	Stormwater	Supervisor:	Public Works Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL		
Level/Salary Range:	\$18.00 - \$24.94 hr.	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL:	
Subject Line:		City of Madeira Beach	
Attention: Human Resources – Recruiting		300 Municipal Drive	
		Madeira Beach, FL 33708	
Job Description			
ROLE AND RESPONSIBILITIES:			
Under the supervision of the Public Works Supervisor, the Senior Stormwater Technician is responsible for maintaining the City infrastructure to include streets and stormwater facilities including:			
<ul style="list-style-type: none"> • Attending work as scheduled. • Repairing holes in streets by patching or filling. • Repairing damaged sidewalks, curbing, gutters, seawalls, catch basins, and other concrete repairs and replacements. • Repairing boardwalk areas, including replacing broken or missing boards. • Clearing obstructions and debris from streets, beaches, and waterways, including brush, shrubs, trees, fish and seaweed. • Cleaning storm grates, street guttering, stormwater pipes and related structures. • Operate heavy equipment, including dump trucks, pay-loaders, backhoes, forklifts, garbage packers, and bucket trucks. • Operate small hand tools, including measurement devices, hammers, stripers, and chalk liners. • Operate power tools, including cutters, drills, saws, and jack hammers. • Repairs to public showers, drinking fountains, etc. 			

- Minor equipment and building maintenance repairs.
- Stenciling signs
- Assist with sandbagging when necessary.
- Other duties as assigned.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- CDL License required or able to obtain one within 6 months of hire.
- Graduation from high school or GED equivalent required.
- Two years' experience in stormwater system and/or street. Demonstrated ability to perform job duties listed, either through related experience or specialized course work.
- Must have a valid Florida Driver's License
- Skill in operation of heavy equipment, power tools and small tools.
- Individuals primarily working in stormwater and sewer will be required to obtain a Class "C" (Stormwater Field Technician) within probationary period.
- Working knowledge of safety practices.
- Able to work in confined space.
- Able to work occasional overtime and civil defense recall if required.
- Able to work in adverse weather conditions.

ADA COMPLIANCE:

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AA/EOE/DFWP

Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Sanitation Worker		
Department/Group:	Sanitation	Supervisor:	Sanitation Supervisor
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$18.00 - \$22.00 hour	Position Type:	Full Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov Subject Line: Sanitation Worker I Attention: Recruiting or Human Resources Department		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Job Description			
<p>ROLE AND RESPONSIBILITIES</p> <p>Under the supervision of the Sanitation Supervisor, The Sanitation Worker/Driver I is responsible for the collection of residential and commercial trash, beach refuse, brush, and other debris. Provides information for residents as required. Trash collection and disposal, recycling of metal, clearing obstructions. May be required to operate heavy equipment, including driving the garbage packer.</p> <ul style="list-style-type: none"> • Attending work as scheduled. • Dismounts garbage trucks to collect garbage and mounts trucks to ride to the next collection point. • Emptying residential trash receptacles into garbage packer by hand. • Carrying beach trash receptacles to garbage packer and emptying by hand. • Clearing obstructions and picking up and disposing of refuse and debris by hand. • Loading and unloading metal debris by hand for scrap. • Operate automated or semi-automated hoisting devices that raise refuse bins and dump contents into openings in truck bodies. • Operate equipment that compresses the collected refuse. • Picking up brush and tree trimmings by hand and loading into truck. • Steam cleaning and sanitizing receptacles. • Placing and picking up trash receptacles, including commercial sites. • Picking up and disposing of dead animals. 			



- Cleaning interiors and exteriors of vehicles, cleaning Public Works garage area and grounds around building.
 - Communicating with Supervisors, Peers, or Subordinates – Providing information to supervisors, co-workers, and subordinates by telephone, in written form, e-mail, or in person.
 - Other duties as assigned.
-
- Valid State of Florida driver’s license, Class B commercial driver’s license (CDL) preferred.
 - A high school diploma or GED is required.

ABILITIES

- Oral Expression and Comprehension – The ability to communicate information and ideas in speaking so others will understand and the ability to listen to and understand information and ideas presented through spoken words and sentences.
- Static Strength – The ability to exert maximum muscle force to lift, push, pull, or carry objects in excess of 50 lbs.
- Physical Requirements - This job requires the majority of the workday spent driving, bending, stooping, twisting, turning, and regularly lifting weight over 50 lbs.
- Eye-Hand Coordination – Eye-Hand coordination is required for the use of machinery.
- Environmental Features – This position requires working outdoors assignments during temperate weather conditions or during extreme heat or cold.
- Ability to work with various odors and materials.
- May require accepting criticism and dealing calmly and effectively with high stress situations.
- Able to work overtime, civil defense recall and occasional weekend and holidays as required.

ADA COMPLIANCE:

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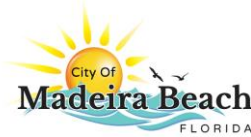
AA/EOE/DFWP



Submit completed application for employment to: Human Resources Coordinator
300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Job Title:	Stormwater Technician I		
Department/Group:	Stormwater/Streets	Supervisor:	Public Works Director
Location:	Madeira Beach City Hall 300 Municipal Drive Madeira Beach, FL 33708		
Level/Salary Range:	\$15.50 - \$18.50	Position Type:	Full-Time
HR Contact:		Date Posted:	
External Posting URL:	www.madeirabeachfl.gov	Posting Expires:	Open until filled
Applications Accepted By:			
FAX OR E-MAIL: (727) 399-1131 OR humanresources@madeirabeachfl.gov		MAIL: City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	
Subject Line: Public Works Technician I			
Attention: Human Resources – Recruiting			
Job Description			
ROLE AND RESPONSIBILITIES:			
<p>Under the supervision of the Public Works Supervisor, the Stormwater Technician I is responsible for maintaining the infrastructure of City streets and stormwater facilities including:</p> <ul style="list-style-type: none"> • Attending work as schedules. • Repairing holes in streets by patching of filling. • Repairing damaged sidewalks, curbing, gutters, seawalls, catch basins, and other concrete repairs and replacements. • Repairing boardwalk areas, including replacing broken or missing boards. • Clearing obstructions and debris from streets, beaches, and waterways, including brush, shrubs, trees, fish and seaweed. • Cleaning storm grates, street guttering, stormwater pipes and related structures. • Operate heavy equipment, including dump trucks, pay-loaders, backhoes, forklifts, garbage packers, and bucket trucks. • Operate small hand tools, including measurement devices, hammers, stripers, and chalk liners. • Operate power tools, including cutters, drills, saws, and jack hammers. • Repairs to public showers, drinking fountains, etc. • Minor equipment and building maintenance repairs. 			



- Stenciling signs
- Assist with sandbagging when necessary.
- Other duties as assigned.

QUALIFICATIONS AND EDUCATION REQUIREMENTS

- Graduation from high school or GED equivalent required.
- Must have a valid Florida Driver's License, CDL preferred by not required.
- Skill in operation and determination of the appropriate kind of minor equipment such as power tools and small tools needed to do a job.
- Individuals primarily working in stormwater will be required to obtain a Class "C" (Stormwater Field Technician) within probationary period.

WORK ENVIRONMENT.

- Working knowledge of safety practices, handling and moving objects with proper technique.
- Considerable time performing physical activities like driving, working in confined space, stooping, bending, twisting, turning, climbing, lifting and balancing.
- Able to work occasional weekends, "on-call", overtime and civil defense recall if required.
- Able to work in adverse weather conditions and some extreme temperatures.

ADA COMPLIANCE:

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300 Municipal Dr. Madeira Beach, FL 33708 or humanresources@madeirabeach.com



Reviewed By:		Date:	
Approved By:		Date:	
Last Updated By:		Date:	

- A. *Merit principal.* All appointments and promotions of City employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.
- B. *Civil Service Commission; Membership.* There shall be a Civil Service Commission of the City of Madeira Beach, Florida, which Commission shall be composed of five citizens of said City. The Civil Service Commission shall be appointed by the Board of Commissioners of the City of Madeira Beach, Florida. The term of office for each member shall be three years and shall be staggered so that not more than two terms expire within any one year. Three Commissioners shall constitute a quorum. Members of the Civil Service Commission shall hold no remunerative office or employment under the City of Madeira Beach, Florida. The Board of Commissioners of the City of Madeira Beach, Florida, shall have the authority to remove for cause any and/or all Civil Service Commissioners.
- C. *Personnel Rules.* The Civil Service Commission shall prepare personnel rules. When concurred by the City Manager, the rules shall be proposed to the Board of Commissioners, and the Board of Commissioners may by Ordinance adopt them with or without amendment. These rules shall include, but are not limited to:
1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
 2. A pay plan for all classified City positions;
 3. Methods for determining the merits and fitness of candidates for appointment or promotions;
 4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
 5. The hours of work, attendance regulation and provisions for sick and vacation leave;
 6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
 7. Other practices and procedures necessary to the administration of the City personnel system;
 8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.
- D. *Duties and powers of the Civil Service Commission.* All duties, powers, reservations of power, and funding for the Civil Service Commission may be provided for by Ordinance duly passed by the

Board of Commissioners of the City of Madeira Beach, Florida.

Item 6C.

- E. *Powers to collectively bargain recognized.* Nothing contained in this Charter shall limit the power of the Board of Commissioners of the City of Madeira Beach, Florida, acting through its Manager from entering into collective bargaining negotiations with any officers, employees, or group of employees for the purpose of establishing by contract conditions of employment, rules or compensation of said officers, employees, or groups of employees. For the purposes of this Charter, ARTICLE I, Section 6, of the Constitution of the State of Florida is specifically recognized.

(Ord. No. 446, 1-28-1975; Ord. No. 664, 8-14-1984/11-7-1984; Ord. No. 2018-09, § 1(Exh. A), 8-20-2018)



PERFORMANCE AND MERIT EVALUATION
OPERATIONAL MANAGEMENT
PROFESSIONAL/TECHNICAL



EMPLOYEE INFORMATION

NAME: _____ EVALUATOR: _____

POSITION _____ HIRE DATE: _____

DEPARTMENT: _____ PERIOD RATED: _____

EVALUATION TYPE: ANNUAL [] OTHER (ex: probationary, 6 mos.) _____

PROFESSIONAL CRITERIA

Please rate each professional attribute of your employee by the following scale:

BELOW JOB REQUIREMENTS (0) Performance was below job requirements in one or more important areas and immediate improvement will be required. Give a brief explanation why.

ACHIEVED JOB REQUIREMENTS (1) Performance met job requirements in all important areas with extra effort evident in one or more of the following: quality, quantity, timeliness, or other important dimensions of performance.

EXCEEDED JOB REQUIREMENTS (2) Performance exceeded the requirements of the job in several important areas.

CONSISTENTLY EXCEED JOB REQUIREMENTS (3) Performance exceeded the requirements of the job in all major areas. Significant work above and beyond the responsibilities was achieved. Give a brief explanation why.

PROFESSIONAL ATTRIBUTES

KNOWLEDGE: Consider knowledge of skills, procedures, method, equipment, and materials required to do the job.

_____ (0) Inadequate job knowledge understanding of the skills, procedures, and method required for job is insufficient. (Explain Why) _____

_____ (1) Understand and effectively completes normal job routine. Needs little additional instruction.

_____ (2) Well informed. Completely understands all aspects of this job and related jobs.

_____ (3) An authority on own responsibilities. Knows why job functions are performed and how they relate with other jobs. (Explain Why) _____

PRODUCTIVITY: Consider the amount of work the individual produces during an extended period of time.

_____ (0) Works at extremely slow pace. Rarely meets deadlines. Needs to have constant follow up. (Explain Why) _____

_____ (1) Works at a steady pace. Output definitely meets requirements. Occasionally completes work ahead of deadlines.

_____ (2) Works fast. Produces more than most. Often work is completed ahead of deadlines.

_____ (3) Exceptional producer. Consistently completes work ahead of deadlines.
(Explain Why) _____

QUALITY: Consider the accuracy and thoroughness of employee's work. Assess work results in terms of rejections, errors, and overall neatness.

_____ (0) Excessive errors and mistakes. Requires constant checking and rework.
(Explain Why) _____

_____ (1) Meets standards for accuracy and neatness. Makes some mistakes, but of a tolerable level. Needs normal supervision.

_____ (2) Consistently high degree of accuracy and neatness. Work can be relied upon. Seldom needs supervision.

_____ (3) Consistently highest level of quality. Final output is virtually perfect.
(Explain Why) _____

INITIATIVE: Consider the degree to which employee is self-starter, can work with minimum supervision and seeks new and better methods to do the job.

_____ (0) Shows little initiative. Never volunteers. Must be told to do everything.
(Explain Why) _____

_____ (1) Voluntarily solves non-routine job problems when necessary. Effective worker.

_____ (2) Seeks new tasks and responsibilities. Resourceful in familiar situations. Self-starter.

_____ (3) Goes out of way to accept responsibility. Highly resourceful and constructive in new situations. Creative and independent worker.

(Explain Why) _____

COOPERATION: Consider the effectiveness of the employees in accomplishing duties by working with others (for example, peers, supervisors, and customers).

_____ (0) Frequently is hostile and uncooperative when working with others to complete an assigned task. Attitude is unacceptable.

(Explain Why) _____

_____ (1) Generally cooperative. Willing to accept suggestions and direction. Acceptable relations with others.

_____ (2) Very cooperative. Usually shows consideration of other's viewpoints. Often offers assistance. Can be counted on to help.

_____ (3) Always works effectively with others. Shows a keen insight into people. Constantly offers and always is available to help others. Continues education.

(Explain Why) _____

DEPENDABILITY: Consider the extent to which the employee can be relied upon to be available for work and to complete work properly.

- _____ (0) Frequently undependable. Often fails to deliver a complete job. Leaves routine tasks incomplete. (Explain Why) _____
- _____ (1) Dependable. Can be relied on to complete all aspects of job. Needs normal supervision.
- _____ (2) Very dependable and persistent despite possible difficulties. Completes normal work and occasional special projects with little supervision.
- _____ (3) Highly motivated and trustworthy. Can be counted on to go beyond limits of duties with little or no supervision when needed.
(Explain Why) _____

ORDERLINESS: Consider the employee's ability to organize work and the work area.

- _____ (0) Frequently disorganized with work area in disarray. Results in high degree of lost time and inefficiency. (Explain Why) _____
- _____ (1) Work is sufficiently organized to efficiently perform job.
- _____ (2) Highly organized and efficient worker.
- _____ (3) Exceptionally precise in organization of work. Has immediate access to anything needed? Extremely efficient. (Explain Why) _____

ATTENDANCE: Consider the employee's record of being at work regularly and on time.

- _____ (0) Unacceptable attendance record. Continual lateness or absences for work.
(Explain Why) _____
- _____ (1) Occasionally is absent or tardy. Reports absence or tardiness in advance.
- _____ (2) Seldom absent or tardy. Always reports absence or tardiness in advance.
- _____ (3) Excellent attendance record. Always at work and on time.
(Explain Why) _____

COMMUNICATION: Consider the employee's ability to effectively present ideas and information orally and/or in written form.

- _____ (0) Unacceptable communication skills. Does not communicate message in a timely manner. (Explain Why) _____
- _____ (1) Generally communicates effectively with coworkers, management, and clients.
- _____ (2) Effectively verbalizes thoughts to coworkers, management, and clients.
- _____ (3) Excellent communicator. Effectively expresses thoughts in verbal and written format.
(Explain Why) _____

- JUDGEMENT:** Consider the extent to which the employee makes good decisions.
- _____ (0) Frequently exercises poor judgement. (Explain Why) _____
- _____ (1) Usually exercises good judgement.
- _____ (2) Regularly exercises good judgment. Able to think quickly and logically under normal situations.
- _____ (3) Excellent judgment. Can be counted on to think quickly and logically under pressure. (Explain Why) _____

_____ **TOTAL OVERALL POINTS**

OVERALL RATING DETERMINATION FOR MERIT INCREASE:

Check appropriate box on basis of total points.

- | | |
|--|--------------|
| <input type="checkbox"/> 2.0 % Exceeded Job Requirements in all major areas | 27-30 Points |
| <input type="checkbox"/> 1.5 % Exceeded Job Requirements in several important areas. | 17-26 Points |
| <input type="checkbox"/> 1.0 % Achieved Job Requirements | 9-16 Points |
| <input type="checkbox"/> 0.0 % Below Job Requirements | 0- 8 Points |
| <input checked="" type="checkbox"/> N/A none merit increase evaluation | |

SECTION 2: STRENGTHS & DEVELOPMENT NEEDS

Cite outstanding accomplishments and describe employee's specific strong points.

Describe areas where the employee must improve or training is needed.

SECTION 3: WORK PLAN FOR COMING REVIEW PERIOD (If appropriate)

A. List objectives or special projects (in priority) that have been assigned to the employee for the coming review period. State results or standards of performance and target dates mutually agreed upon. (Attach additional page if necessary).

B. Describe the action plan which will be used to achieve the objectives listed above (for example, what staff member, supervisor, or others will do and within what time frame).

SECTION 4: EMPLOYEE COMMENTS & SIGNATURES

Employee Comments:

Employee Acknowledge Receipt _____ Date ____ / ____ / ____

Employee Signature _____ Date ____ / ____ / ____
(Signature does not imply agreement with contents)

Department Director Signature _____ Date ____ / ____ / ____

City Manager Signature _____ Date ____ / ____ / ____

Created 7.20.2023

- A. *Merit principal.* All appointments and promotions of City employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.
- B. *Civil Service Commission; Membership.* There shall be a Civil Service Commission of the City of Madeira Beach, Florida, which Commission shall be composed of five citizens of said City. The Civil Service Commission shall be appointed by the Board of Commissioners of the City of Madeira Beach, Florida. The term of office for each member shall be three years and shall be staggered so that not more than two terms expire within any one year. Three Commissioners shall constitute a quorum. Members of the Civil Service Commission shall hold no remunerative office or employment under the City of Madeira Beach, Florida. The Board of Commissioners of the City of Madeira Beach, Florida, shall have the authority to remove for cause any and/or all Civil Service Commissioners.
- C. *Personnel Rules.* The Civil Service Commission shall prepare personnel rules. When concurred by the City Manager, the rules shall be proposed to the Board of Commissioners, and the Board of Commissioners may by Ordinance adopt them with or without amendment. These rules shall include, but are not limited to:
1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
 2. A pay plan for all classified City positions;
 3. Methods for determining the merits and fitness of candidates for appointment or promotions;
 4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
 5. The hours of work, attendance regulation and provisions for sick and vacation leave;
 6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
 7. Other practices and procedures necessary to the administration of the City personnel system;
 8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.
- D. *Duties and powers of the Civil Service Commission.* All duties, powers, reservations of power, and funding for the Civil Service Commission may be provided for by Ordinance duly passed by the

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Item 6D.

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(Ord. No. 446, 1-28-1975; Ord. No. 664, 8-14-1984/11-7-1984; Ord. No. 2018-09, § 1(Exh. A), 8-20-2018)

Human Resources

Department Description

The Human Resources Department provides personnel and risk management services to all departments and employees. Human Resources is responsible for compensation and benefits administration, safety and wellness, employee recruitment, retention, and development, and ensuring consistent practices are followed in compliance with State and Federal Laws, City policies and regulations.

Department Objectives: Administers the municipal personnel program to include employee and retiree benefits, employee policies, employment, labor relations and negotiations, employee relations, EEO records and complaints, and other personnel programs. To provide recruitment, selection, retention, and development resources, as well as pre-employment screenings and employee onboarding and off-boarding services. To process personnel matters including compensation, benefit administration and processing payroll. Conduct periodic salary surveys and update job classifications. Conduct random alcohol and drug testing in accordance with state and federal laws. Review and update the Personnel Manual. Keep abreast of state and federal legislation affecting the City's responsibility to its employees: i.e., FLSA, ADA, EEOC and ACA. To complete state and federal employee statistical reports. To maintain complete and accurate personnel records for all City employees. Oversee the Risk Management program and promote a safe and healthy work environment. Investigate incidents and liaise with insurance carriers for property or liability insurance claims and workers' compensation claims. To procure and bind all lines of insurance.



300 Municipal Drive
Madeira Beach, Florida 33708
(727) 391-9951
Fax (727) 399-1131
www.madeirabeachfl.gov

January 21, 2021

Sean Lilly
2758 Burlington Ave. N
St. Petersburg, FL 33713

Dear Sean,


We are pleased to offer you the position of Human Resources Director (Part-Time) for the City of Madeira Beach. We would like your start date to be on or before Monday, February 8, 2021, with an hourly rate of \$36.86 an hour.

This offer is contingent upon successful completion of 6-month probationary period and obtaining the required certification as well as:

- Successful meeting with management
- Successful background investigation
- Successful pre-employment physical & drug screen

We look forward to having you join our team!

Sincerely,


 Robert Daniels, City Manager
 City of Madeira Beach
 Date: 1/21/2021


 Sean Lilly
 Date: 1-21-21



300 Municipal Drive
Madeira Beach, Florida 33708
(727) 391-9951
Fax (727) 399-1131
www.madeirabeachfl.gov

January 21, 2021

Sean Lilly
2758 Burlington Ave. N
St. Petersburg, FL 33713

Dear Sean,

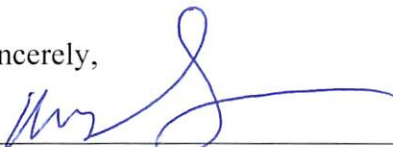
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We look forward to having you join our team!

Sincerely,



 Robert Daniels, City Manager
 City of Madeira Beach
 Date: 1/21/2021

 Sean Lilly
 Date: _____

Hi Bob,

I thought about my salary all weekend. Up north I was at top of my range and it is easy to say I want 60/hour but is that fair? I don't think it is without a rationale, so I went back through my experience with these situations and thought about some strategies I could use to arrive at a fair number. I decided I should talk to Karen about how we determine salaries and, in addition, review any information we might have on the compensation study that the City conducted.

I spoke with Karen, and she said there really is no rationale behind where the City places employees in the salary bands. I looked at the compensation study PowerPoint. It addressed where the city was and gave a couple of suggestions about how to adjust but no guidelines on where to place employees. This is something that I will need to add to my list. We need a plan. Internal equity is important not only from a morale standpoint but also if we are ever formally questioned about how one employee makes more than another. We need to avoid gender, racial or other perceived biases. If followed, it also avoids or at least explains any situations like this. Anyway, Karen nor the compensation study were able to help me.

My next strategy was using an employee(s) hired this year with a similar education profile and as close as possible to the same band. The only employee that came close was Jennifer. Here is a comparison analysis:

	Rowan	Lilly
Bachelors	X	X
Masters	X	X
Certification	X	X
Certification II		X
Direct Experience Years	3.25	17
Years at Madeira Beach	1	
Related Experience Years	1	15
Total Experience	5.25	32
Current Salaries/Hourly rate	\$70,000	\$40.03
Max Range- salary/hourly rate	\$76,665	\$60.04
Percent into range	91.31	66.70
Proposed adjustment		
91.3% into range		\$54.82

OK
MZ
3/21/2021

If you agree perhaps, you can inform Karen and we can start this today 3/22 as it is a new pay period. I have also been thinking about my future here. I enjoy working here and want it to continue. The non-exempt gets in the way and I have some thoughts about getting around that in the new year, without breaking the bank for the city.

Thank you for your consideration,

Sean



300 Municipal Drive
Madeira Beach, Florida 33708
(727) 391-9951
Fax (727) 399-1131
www.madeirabeachfl.gov

February 08, 2021

Sean Lilly
2758 Burlington Ave. N
St. Petersburg, FL 33713

Dear Sean,

The original intent in hiring someone for this position was to hire a human resources generalist to assist in the human resources department. After careful examination of the duties that needed to be completed it was determined that the position would need to be reassigned as a human resources director. In order to align this position with director level responsibilities the pay rate will be adjusted to the bottom of grade level 7 of the current employee pay plan which is \$40.03 an hour.

This offer is still contingent upon successful completion of 6-month probationary period and obtaining the required certification as well as:

- Successful meeting with management
- Successful background investigation
- Successful pre-employment physical & drug screen

This change will take effect immediately on your hire date.


Robert Daniels, City Manager

2/12/2021
Date



Payroll Action Notice

EMPLOYEE PROFILE

Employee Name: Lilly, Sean Employee ID: 5821

Date Employed: 2/8/2021 Department: Human Resources

CHANGES

Current Position:	New Position:
Title: _____	Title: <u>Human Resources Director</u>
Pay Grade: _____	Pay Grade: <u>5</u>
Hourly Rate: _____	Hourly Rate: <u>\$ 36.86</u>
Annual Rate: _____	Annual Rate: <u>N/A (part-time)</u>

Effective Date: 2/8/2021

REASON FOR ACTION

- New Hire
- Resignation
- Termination
- Promotion
- Annual Rate Increase
- Reduction In Force
- Workers Compensation Leave
- Military Leave
- Jury Leave

Other Changes or Comments: Employment contingent upon successful completion of pre-employment physical, drug screen, background screening and probationary period.

Department Director _____

[Signature]
Finance Director

[Signature]
City Manager

Date: _____

01-22-2021

Date: _____

01-25-2021

Date: _____



Drug-Free Workplace Policy EMPLOYEE AWARENESS ACKNOWLEDGMENT

I recognize that the use or abuse of alcohol, illegal drugs, or any chemical substance by any employee can create an unsafe working environment.

I have been given a copy of a summary of the City of Madeira Beach's Drug-Free Workplace Policy and have carefully read and understand the program. I have also been given information about resources for substance abuse counseling and rehabilitation. I agree to comply with its provisions as a condition of continuing employment.

I understand that the City's Drug-Free Workplace Policy complies with the Florida Workers' Compensation Statute 440.102(5) and Attendant Rules 38 F-9 Florida Administrative Code.

Specifically I understand that if I test positive for alcohol or drugs or refuse to be tested following a work related accident or reasonable suspicion, I may be terminated and may be denied medical and indemnity benefits from Workers' Compensation. I understand that my refusal to execute this consent form may result in my termination.

I also understand that the Drug-Free Workplace Policy and related documents are not intended to constitute a contract between the City and me.

The undersigned further states that he or she has read the foregoing acknowledgment and knows the contents thereof and signed the same of his or her own free will.

Employee's Signature: Ann Kim Date: 2-8-21

Witness Signature: Kanpaw Date: 2/8/2021



Receipt and Acknowledgment that we are providing you with an updated copy of the revised City's Personnel Policies and Procedures.

Please read this handbook carefully, however, keep in mind that this handbook does not contain all of the information you will need as an employee. You will receive other information through written and verbal notices as needed. All changes will be relayed to you as quickly as possible through various methods such as memos and email. When the City changes a policy and/or procedure, it overrides the previous policy.

No statement in this Manual is to be interpreted as a contract. You are an at-will employee, which means you or the City may terminate the employment relationship at any time. No written or oral statements regarding the terms and conditions of your employment are considered contractual.

Employees who are covered under a collective bargaining agreement shall also be subject to the City of Madeira Beach's Personnel Policies and Procedures. If any conflict occurs between the City and the collective bargaining unit, the collective bargaining agreement shall take precedent.

Receipt and Acknowledgment

I have received a copy of the City of Madeira Beach Employee Personnel Policies & Procedures Manual (Revised 08/19). I have read the above information and I acknowledge that it is a correct statement of my employment status.

Print Name: Sean Lilly

Date: 2-8-21

Employee Signature: [Handwritten Signature]

Employee agrees to review the handbook within 30 days of hire.



PUBLIC EMPLOYEES' OATH OF OFFICE

**STATE OF FLORIDA
COUNTY OF PINELLAS**

I, (print name) Sean Lilly, a citizen of the State of Florida and of the United States of America, being employed by or an officer of the City of Madeira Beach, Florida, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

Sean Lilly
Signature

**STATE OF FLORIDA
COUNTY OF PINELLAS**

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____, who has presented the following identification (Florida Drivers License # _____) and who did not take an oath.

Personnel Action Form

CITY OF MADEIRA BEACH

Employee Name:

LILLY, SEAN (1006)

Rehire/Hire Date:

02-08-2021 2 years, 1 month, 12 days

Effective Date:

03/31/23

Created By:

KAREN PAULSON

Approved By:

KAREN PAULSON

Current Status:

Final Approved

PAF Type :

Termination

PAF Reason:

Resignation

Manager Comments:

Employee Comments:

Description	Previous	Proposed
Employee Status	ACTIVE	TERMINATED
Termination Type		
Termination Reason		
ESS Access Profile	Active Employees	

Question #1

Please list any additional information regarding the proposed changes.

No Answer

Review History

Reviewer Name	Action	Action Time	Send Back Notes	Approval Notes
KAREN PAULSON		02/23/2023 10:23:32 AM		
Robin Gomez	Approved	02/27/2023 01:51:34 PM		
PATRICK CADE	Approved	02/27/2023 01:54:41 PM		
Robin Gomez	Approved	02/28/2023 03:40:34 PM		
KAREN PAULSON	Final Approved	03/01/2023 08:16:19 AM		

Transaction Change History

Change Type	Field Changed	Old Value	New Value	Changed By	Time Changed
Proposed Field	Employee Status		TERMINATED	KAREN PAULSON	02/23/2023 10:23:32 AM
Proposed Field	Termination Type		0	KAREN PAULSON	02/23/2023 10:23:32 AM

Item 6E.

Proposed Field	Effective Date		2023-02-23	KAREN PAULSON	02/23/2023 10:23:32 AM
Proposed Field	Personnel Action Form Type		Termination	KAREN PAULSON	02/23/2023 10:23:32 AM
Proposed Field	Submit To		robingomez	KAREN PAULSON	02/23/2023 10:23:32 AM
Proposed Field	Effective Date	2023-02-23	2023-03-31	Robin Gomez	02/27/2023 01:51:34 PM
Proposed Field	Submit To	robingomez	PCADE1126	Robin Gomez	02/27/2023 01:51:34 PM

Payroll Action Notice

Step Description	Approver	Approved Date	Comments
DEPARTMENT DIRECTOR	Robin Gomez (robingomez)	02/27/2023	
FINANCE DIRECTOR	PATRICK CADE (PCADE1126)	02/27/2023	
CITY MANAGER	Robin Gomez (robingomez)	02/28/2023	
Final Approval	KAREN PAULSON (kpaulson)	03/01/2023	

HUMAN RESOURCES

Overview: The City of Madeira Beach Human Resources Department provides oversight of all human resource transactions within the City, including job announcements, job placement, onboarding, payroll administration, benefits, and retirement.

FY '22 Accomplishments:

Successfully refurbished the electronic payroll actions.

FY '23 Goals:

Implement a salary system that reflects the current economic climate and to help attract and retain talent.

HUMAN RESOURCES

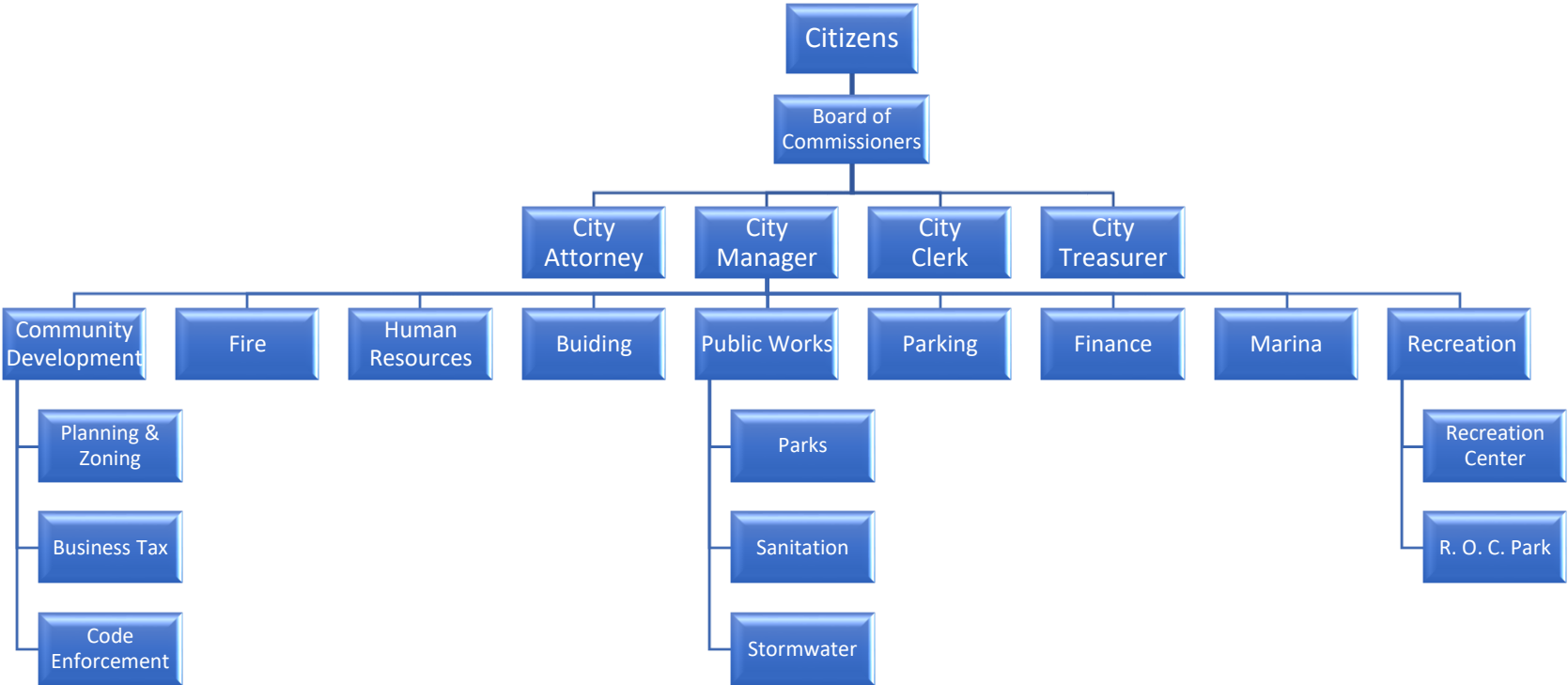
ACCOUNT	FY 2021 ACTUAL	FY 2022 BUDGET	FY 2022 PROJECTED	FY 2023 BUDGET	
Expenses & Other Outflows					
001.1030.512000	Salaries & Wages	55,333	58,100	44,572	52,797
001.1030.521000	Social Security	4,204	4,450	3,436	4,039
001.1030.522001	ICMA 401(a) Plan	1,227	-	-	-
001.1030.523000	Group Insurance	-	-	-	-
001.1030.524000	Worker's Compensation	20	90	47	84
001.1030.531000	Professional Services	9,000	5,000	-	-
001.1030.531004	Criminal Records Check	3,566	5,000	7,000	9,000
001.1030.531009	Pre Employment Services	5,297	6,000	6,000	6,000
001.1030.531011	Software Support Services	34,573	27,000	30,000	33,000
001.1030.534000	Contractual Service	2,944	3,000	3,500	-
001.1030.540000	Travel & Training	-	3,000	380	1,800
001.1030.541000	Cellular Telephone	309	300	400	400
001.1030.544000	Rentals & Leases	235	5,500	-	7,000
001.1030.547000	Printing and Binding	2,126	-	-	800
001.1030.548000	Promotions & Pub Rltns	1,896	-	364	1,000
001.1030.549000	Other Current Charges	-	1,000	-	1,000
001.1030.551000	Office Supplies	86	1,000	200	500
001.1030.552000	Departmental Supplies	896	1,000	500	700
001.1030.552004	Uniforms	-	-	-	-
001.1030.554000	Dues & Subscriptions	438	1,000	280	800
001.1030.564000	Capital Equipment	-	-	-	-
Expenses & Other Outflows Total		122,151	121,440	96,679	118,921

HUMAN RESOURCES

FULL-TIME EQUIVALENT (FTE) POSITIONS

POSITION	FY 2020	FY 2021	FY 2022	FY 2023
HR Director	0.00	0.50	0.50	0.44
HR Coordinator	1.00	0.00	0.00	0.00
Total Funded Positions	1.00	0.50	0.50	0.44

ORGANIZATIONAL CHART



Contracted/Outsourced Services:

- 1. Police – Pinellas County Sheriff’s Office
- 2. Water & Sewer – Pinellas County Utilities
- 3. Engineering
- 4. Information Technology
- 5. City Attorney
- 6. City Treasurer

HUMAN RESOURCES

Overview: The City of Madeira Beach Human Resources Department provides oversight of all human resource transactions within the City, including job announcements, job placement, onboarding, payroll administration, benefits, and retirement.

FY '21 Accomplishment: Started and successfully integrated Talent Management in the Paycom system. Overhauled, reconfigured, and enhanced Position Control in the Paycom system.

FY '22 Goals: Source a benefit management software.

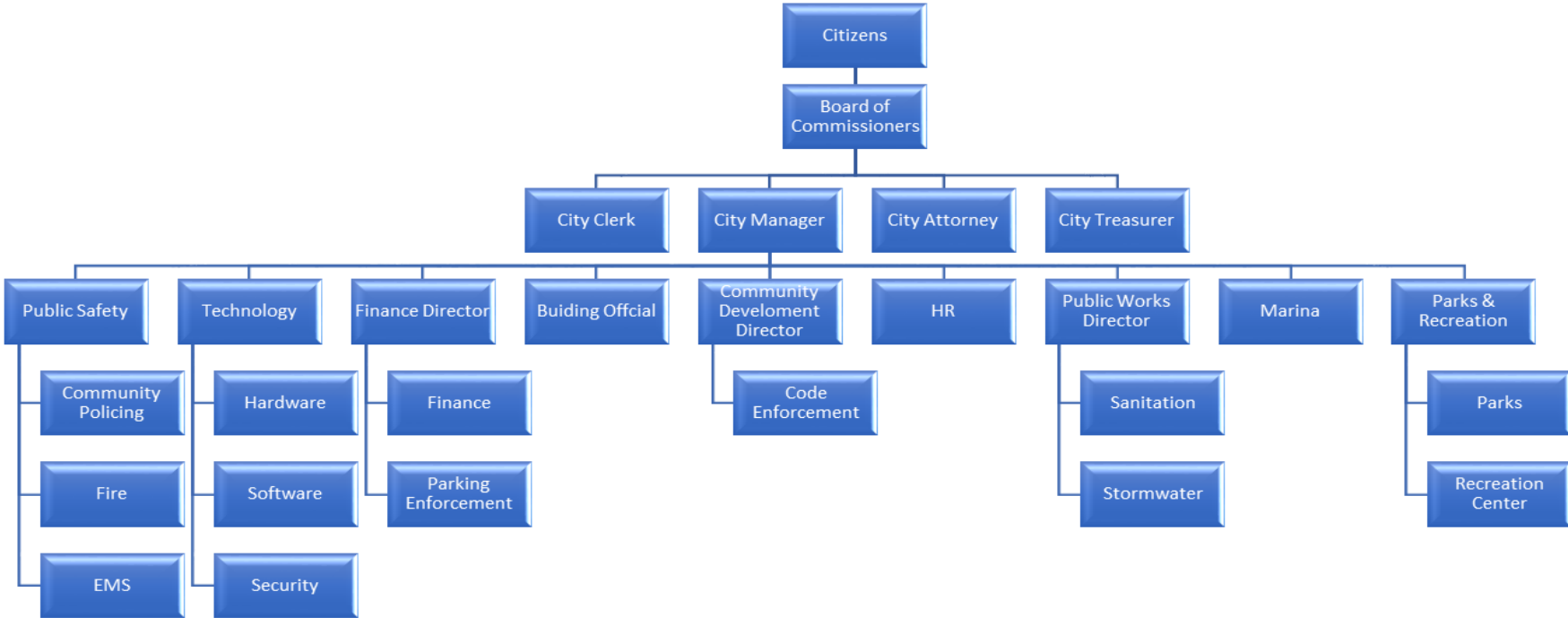
HUMAN RESOURCES

ACCOUNT	FY 2020 ACTUAL	FY 2021 BUDGET	FY 2021 PROJECTED	FY 2022 BUDGET
001.1030.513.00000.1200 - Salaries & Wages	66,725	-	53,565	58,100
001.1030.513.00000.2100 - Social Security	4,944	-	4,062	4,450
001.1030.513.00000.2203 - ICMA 401(a) Plan	5,640	-	1,330	-
001.1030.513.00000.2300 - Group Insurance	9,859	-	-	-
001.1030.513.00000.2400 - Worker's Compensation	103	-	22	90
001.1030.513.00000.3100 - Professional Services	-	54,000	9,756	5,000
001.1030.513.00000.3121 - Software Support Services	29,051	15,000	30,000	27,000
001.1030.513.00000.3135 - Pre Employment Services	2,053	3,000	5,107	6,000
001.1030.513.00000.3136 - Criminal Records Check	3,259	2,500	2,345	1,500
001.1030.513.00000.3400 - Contractual Service	3,026	2,500	3,050	3,000
001.1030.513.00000.4000 - Travel & Training	525	3,000	-	3,000
001.1030.513.00000.4110 - Cellular Telephone	121	300	311	300
001.1030.513.00000.4400 - Rentals & Leases	-	9,000	255	9,000
001.1030.513.00000.4700 - Printing and Binding	2,541	1,000	2,305	-
001.1030.513.00000.4800 - Promotions & Pub Rltns	1,062	1,000	1,568	-
001.1030.513.00000.4900 - Other Current Charges	1,047	1,000	-	1,000
001.1030.513.00000.5100 - Office Supplies	878	1,000	93	1,000
001.1030.513.00000.5200 - Uniforms	-	-	474	-
001.1030.513.00000.5210 - Departmental Supplies	-	1,000	972	1,000
001.1030.513.00000.5420 - Dues & Subscriptions	879	500	475	1,000
TOTAL:	131,713	94,800	115,690	121,440

FULL-TIME EQUIVALENT (FTE) POSITIONS

	FY 2018 ACTUAL	FY 2019 ACTUAL	FY 2020 BUDGET	FY 2021 BUDGET	FY 2022 BUDGET
HR Director	0.00	0.00	0.00	0.50	0.50
HR Coordinator	1.00	1.00	1.00	0.00	0.00
Total Funded Positions	1.00	1.00	1.00	0.50	0.50

CITY OF MADEIRA BEACH ORGANIZATIONAL CHART



HUMAN RESOURCES

The City of Madeira Beach Human Resources Department provides oversight of all human resource transactions within the City, including job announcements, job placement, onboarding, payroll administration, benefits, and retirement. The services provided by the Human Resources Department are as follows:

Department Initiatives for FY2021 Budget Year

GOAL: INTERNAL AND EXTERNAL COMMUNICATIONS

- **Objective 1:** Look for best HRIS software for automating the hiring, onboarding, data management, benefits, and other human resources information.
- **Objective 2:** Continue to search for educational opportunities for myself to grow in my knowledge of payroll, risk management and human resource laws and updates annually.
- **Objective 3:** Work with the Civil Service Committee to update the current Personnel Policies & Procedures Manual and review job descriptions.
- **Objective 4:** Work with our vendors in the insurance and benefit industry to provide the best employee benefits program at an affordable price.
- **Objective 5:** Continue to look for ways to provide educational opportunities for internships, student mentoring and high school volunteer opportunities for college service credit.

GOAL: HUMAN CAPITAL

- **Objective 1:** To recruit, train and equip a diverse workforce to succeed as an employee of the City.
- **Objective 2:** To serve as an example and to look for new ways to motivate and engage employees that will increase moral and improve our culture and promote teamwork.
- **Objective 3:** To provide self-service training modules to current Target Solutions training software that will motivate employees and new hires to look for ways to develop and improve their skills.
- **Objective 4:** Develop better ways of communication between staff and leadership through utilizing updated HRIS software or an intranet system.

GOAL: SAFETY AND HEALTHY LIVING

- **Objective 1:** Work with management to find more ways to build and grow the Wellness Programs that the City already offers employees. Create more opportunities for staff to become involved with the program and assisting with developing new and fun ways to promote healthy lifestyles.
- **Objective 2:** Provide safety and educational opportunities to enhance the safety and wellbeing of our employees.

HUMAN RESOURCES

SUMMARY

	FY 2017 ACTUAL	FY 2018 ACTUAL	FY 2019 ACTUAL	FY 2020 BUDGET	FY 2021 BUDGET
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EXPENDITURES:

PERSONNEL	-	-	-	83,600	-
OPERATING	-	-	-	31,800	94,800
TOTAL	\$0	\$0	\$0	\$115,400	\$94,800

FY 2021 Budget Highlights

- HR Coordinator position outsourced in FY 2021 and included in operating expenditures
- Transition to new payroll and HRIS solution that includes lease of biometric timekeeping devices

HUMAN RESOURCES (001.1030)

CODE	ACCOUNT TITLE	FY 2017 ACTUAL	FY 2018 ACTUAL	FY 2019 ACTUAL	FY 2020 BUDGET	FY 2021 BUDGET	PERCENT CHANGE
PERSONNEL:							
1200	Salaries & Wages	-	-	-	62,900	-	-100.00%
1400	Overtime	-	-	-	-	-	
2100	Social Security	-	-	-	4,800	-	-100.00%
2203	ICMA 401(a) Plan	-	-	-	5,700	-	-100.00%
2300	Group Insurance	-	-	-	10,000	-	-100.00%
2400	Worker's Compensation	-	-	-	200	-	-100.00%
	Subtotal Personnel	-	-	-	83,600	-	-100.00%
OPERATING:							
3100	Professional Services	-	-	-	-	54,000	
3121	Computer Software & Support	-	-	-	15,800	15,000	-5.06%
3135	Employee Physicals/Drug Screening	-	-	-	3,000	3,000	0.00%
3136	Criminal Records Check	-	-	-	2,500	2,500	0.00%
3400	Other Contractual Services	-	-	-	2,900	2,500	-13.79%
4000	Travel and Training	-	-	-	3,000	3,000	0.00%
4110	Cellular Telephone	-	-	-	300	300	0.00%
4400	Rentals & Leases	-	-	-	-	9,000	
4700	Print & Reproduction	-	-	-	1,000	1,000	0.00%
4800	Promotions & Public Relations	-	-	-	1,000	1,000	0.00%
4900	Other Current Charges	-	-	-	1,000	1,000	0.00%
5100	Office Supplies	-	-	-	1,000	1,000	0.00%
5210	Departmental Supplies	-	-	-	-	1,000	
5420	Dues & Subscriptions	-	-	-	300	500	66.67%
	Subtotal Operating	-	-	-	31,800	94,800	198.11%
	TOTAL HUMAN RESOURCES	-	-	-	115,400	94,800	98.11%

HUMAN RESOURCES (001.1030)

CODE	ACCOUNT TITLE	FY 2021 BUDGET	DESCRIPTION
OPERATING:			
3100	Professional Services	54,000	Outsourced HR Director position
3121	Computer Software & Support	15,000	HR/payroll software and FSA Admin. Services
3135	Employee Physicals/Drug Screening	3,000	Physicals and drug screens for new hires
3136	Criminal Records Check	2,500	Background screening for new hires
3400	Other Contractual Services	2,500	SMARSH App for cell phone archiving
4000	Travel and Training	3,000	HR Florida Conference and Expo., Webinars, and one-day trainings
4110	Cellular Telephone	300	HR on-call
4400	Rentals and Leases	9,000	Lease of biometric time clocks
4700	Print & Reproduction	1,000	Job Board Advertisements
4800	Promotions & Public Relations	1,000	New employee onboarding and City promotional materials
4900	Other Current Charges	1,000	Wellness fair and other wellness activities throughout the year
5100	Office Supplies	1,000	General office files, folders, and desk supplies
5210	Departmental Supplies	1,000	Other supplies needed for HR Department
5420	Dues & Subscriptions	500	SHRM & Suncoast HR annual memberships
	Subtotal Operating	94,800	
	TOTAL HUMAN RESOURCES	94,800	

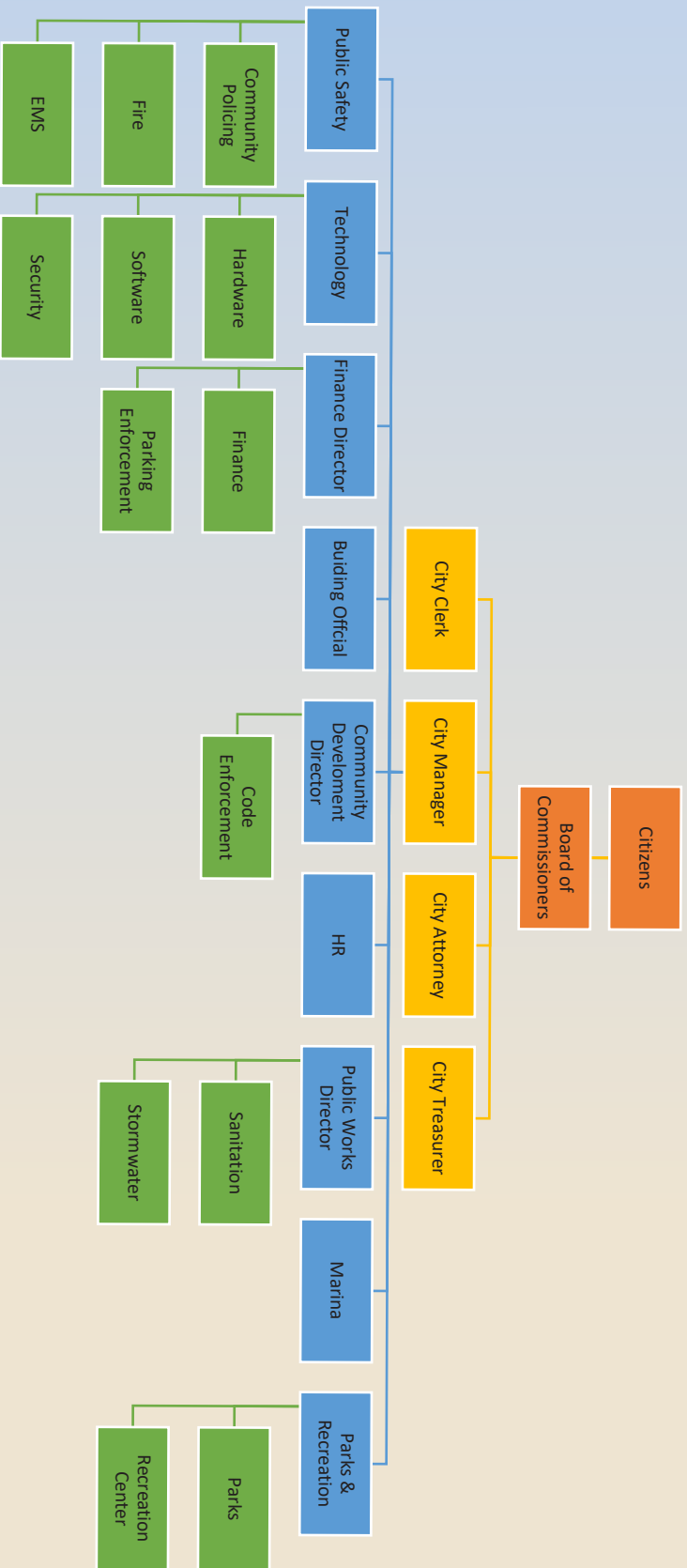
HUMAN RESOURCES

FULL-TIME EQUIVALENT (FTE) POSITIONS

	FY 2017 ACTUAL	FY 2018 ACTUAL	FY 2019 ACTUAL	FY 2020 BUDGET	FY 2021 BUDGET
HR Coordinator	1.00	1.00	1.00	1.00	0.00
Total Funded Positions	1.00	1.00	1.00	1.00	0.00

NOTE: HR Director position is outsourced starting in fiscal year 2021 budget and included in professional services (operating).

City of Madeira Beach Organizational Chart



The City of Madeira Beach Human Resources Department provides oversight of all human resource transactions within the City, including job announcements, job placement, onboarding, payroll administration, benefits and retirement. The services provided by the Human Resources Department are as follows:

Department Initiatives for FY2020 Budget Year

GOAL: INTERNAL AND EXTERNAL COMMUNICATIONS

- **Objective 1:** Continue to look for ways to savings opportunities for the City on cell phone usage and providing for the best equipment and services for staff.
- **Objective 2:** Add a time and attendance software to replace the manual punch clocks and outdated procedures for process timecards and payroll. Determining which type of log in processes will work the best for employees out in the field, either facial recognition, finger stamp or possibly a phone app which has GPS ability to track where the signing occurred.
- **Objective 2:** Develop a procedure and design a form that can be uploaded to the website for public lien requests and online payments.
- **Objective 3:** Add self-service tools to our current Human Resources software that will enable prospective employees and employees to complete necessary tasks online such as applications, benefits, retirement themselves. Giving them more access to their own information and also speeding up the processes.

GOAL: HUMAN CAPITAL

- **Objective 1:** Work with the civil service committee to design and create a matrix for determining merit eligibility for employees through evaluations and training opportunities.
- **Objective 2:** Provide for more online webinars and training for staff to become more proficient in their jobs, better educated and to provide continual learning opportunities for employees to learn and grow.
- **Objective 3:** Develop better ways of communication between staff and leadership.
- **Objective 4:** Provide educations opportunities to allow for internships from local educational institutions for students to obtain mentoring, on-the-job training, and college service credits, etc. all while helping the city.
- **Objective 5:** Develop a high school student internship program for students who need volunteer hours for high school or college.

GOAL: SAFETY AND HEALTHY LIVING

- **Objective 1:** Continue to build and grow the Wellness Programs that the City already offers employees. Create more opportunities for staff to become involved with the program and assisting with developing new and fun ways to promote healthy lifestyles.
- **Objective 2:** Provide safety and educational opportunities to enhance the safety and wellbeing of our employees.

HUMAN RESOURCES

SUMMARY

	FY 2017 ACTUAL	FY 2018 ACTUAL	FY 2019 ADOPTED	FY 2019 REVISED	FY 2020 BUDGET
EXPENDITURES:					
PERSONNEL	-	-	-	-	83,600
OPERATING	-	-	-	-	31,800
CAPITAL					11,000
TOTAL	\$0	\$0	\$0	\$0	126,400
FUNDING SOURCE:					
GENERAL FUND	\$0	\$0	\$0	\$0	\$126,400

FY 2020 Budget Modifications

. For the FY 2020 Budget, Human Resources will be a separate department. In FY 2019, Human Resources was in the City Manager's Office budget.

Capital Budget

• There is \$11,000 allocated for Capital Equipment for FY 2020 for Human Resources which is for a new Flex HR/Payroll upgrade.

HUMAN RESOURCES (001.1030)

CODE ACCOUNT TITLE	FY 2017 ACTUAL	FY 2018 ACTUAL	FY 2019 ADOPTED	FY 2019 REVISED	FY 2020 BUDGET	PERCENT CHANGE
PERSONNEL:						
1200 Salaries & Wages	-	-	-	-	62,900	
1400 Overtime	-	-	-	-	-	
2100 Social Security	-	-	-	-	4,800	
2203 ICMA 401(a) Plan	-	-	-	-	5,700	
2300 Group Insurance	-	-	-	-	10,000	
2400 Worker's Compensation	-	-	-	-	200	
Subtotal Personnel	-	-	-	-	83,600	
OPERATING:						
3121 Computer Software & Support	-	-	-	-	15,800	
3135 Employee Physicals/Drug Screening	-	-	-	-	3,000	
3136 Criminal Records Check	-	-	-	-	2,500	
3400 Other Contractual Services	-	-	-	-	2,900	
4000 Travel and Training	-	-	-	-	3,000	
4110 Cellular Telephone	-	-	-	-	300	
4700 Print & Reproduction	-	-	-	-	1,000	
4800 Promotions & Public Relations	-	-	-	-	1,000	
4900 Other Current Charges	-	-	-	-	1,000	
5100 Office Supplies	-	-	-	-	1,000	
5200 Uniforms	-	-	-	-	-	
5210 Departmental Supplies	-	-	-	-	-	
5420 Dues & Subscriptions	-	-	-	-	300	
Subtotal Operating	-	-	-	-	31,800	
CAPITAL:						
6400 Capital Equipment	-	-	-	-	11,000	
Subtotal Capital Outlay	-	-	-	-	11,000	
TOTAL HUMAN RESOURCES	\$0	\$0	\$0	\$0	126,400	

HUMAN RESOURCES (001.1100)

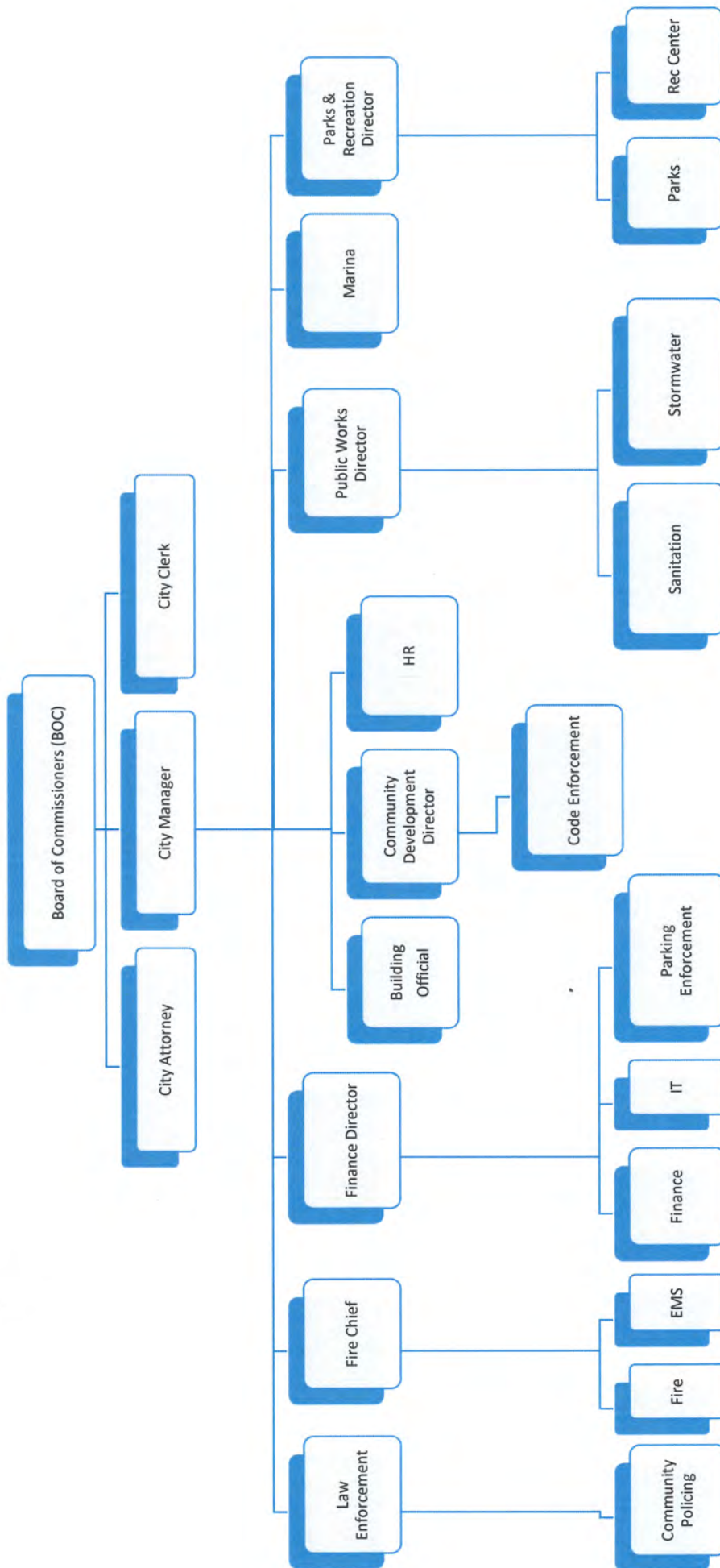
CODE ACCOUNT TITLE	FY 2020 BUDGET	DESCRIPTION
PERSONNEL:		
1200 Salaries & Wages	62,900	Staff wages
2100 Social Security	4,800	FICA contributions at 7.65% of salary
2203 ICMA 401(a) Plan	5,700	City contribution to staff retirement at 9% of salary
2300 Group Insurance	10,000	Medical, dental, life and long-term disability coverage
2400 Worker's Compensation	200	Worker's compensation insurance costs per quoted estimate
Subtotal Personnel	<u>83,600</u>	
OPERATING:		
3121 Computer Software & Support	15,800	HR software, Paychex Services, and FSA Admin. Services
3125 Employee Physicals/Drug Screening	3,000	To be re-distributed to each relevant department
3136 Criminal Records Check	2,500	To be re-distributed to each relevant department
3400 Other Contractual Services	2,900	New SMARSH App for cell phone archiving
4000 Travel and Training	3,000	HR Florida Conference and Expo, Webinars, and one-day Trainings
4110 Cellular Telephone	300	HR on-call
4700 Print & Reproduction	1,000	Job Board Advertisements
4800 Promotions & Public Relations	1,000	New employee onboarding and City promotional materials
4900 Other Current Charges	1,000	Wellness fair and other wellness activities throughout the year
5100 Office Supplies	1,000	General office files, folders, and desk supplies
5200 Uniforms	-	
5210 Departmental Supplies	-	
5420 Dues & Subscriptions	300	SHRM & Suncoast HR annual memberships
Subtotal Operating	<u>31,800</u>	
CAPITAL:		
6400 Capital Equipment	11,000	New Flex HR/Payroll Upgrade
Subtotal Capital Outlay	<u>11,000</u>	
TOTAL HUMAN RESOURCES	126,400	

HUMAN RESOURCES

FULL-TIME EQUIVALENT (FTE) POSITIONS

	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>
HR Coordinator	0.00	0.00	0.00	1.00
Total Funded Positions	0.00	0.00	0.00	1.00

City of Madeira Beach Organizational Chart

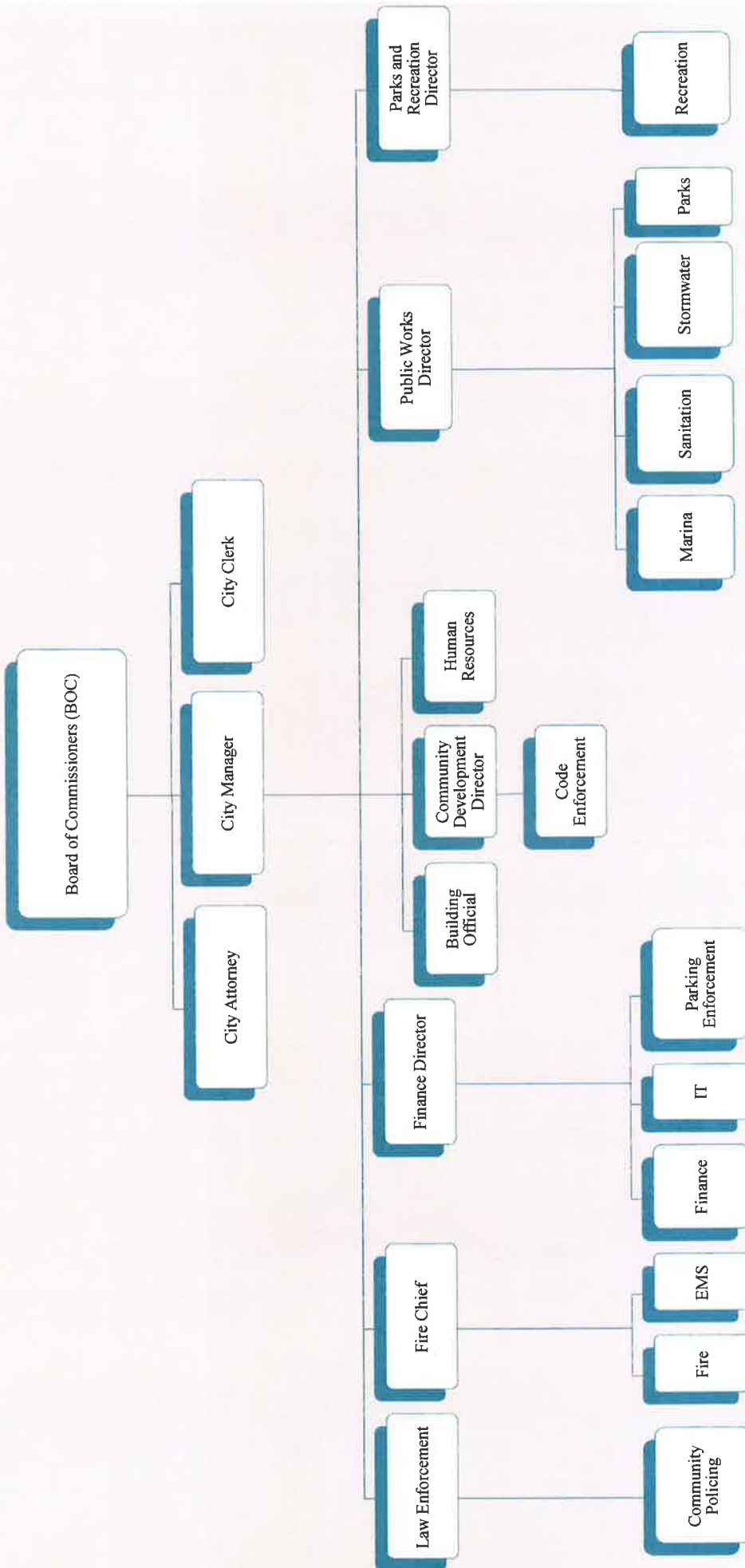


CITY MANAGER'S OFFICE

FULL-TIME EQUIVALENT (FTE) POSITIONS

	FY 2016	FY 2017	FY 2018	FY 2019
City Manager	1.00	1.00	1.00	1.00
Executive Office Manager	1.00	1.00	1.00	0.00
Executive Assistant	0.00	0.00	0.00	1.00
Administrative Assistant	0.00	0.00	0.00	0.00
HR Coordinator	0.00	0.00	0.00	1.00
Public information Specialist	0.00	0.00	1.00	1.00
Volunteer Coordinator	0.50	0.50	0.00	0.00
Total Funded Positions	2.50	2.50	3.00	4.00

City of Madeira Beach Organizational Chart



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FINANCE

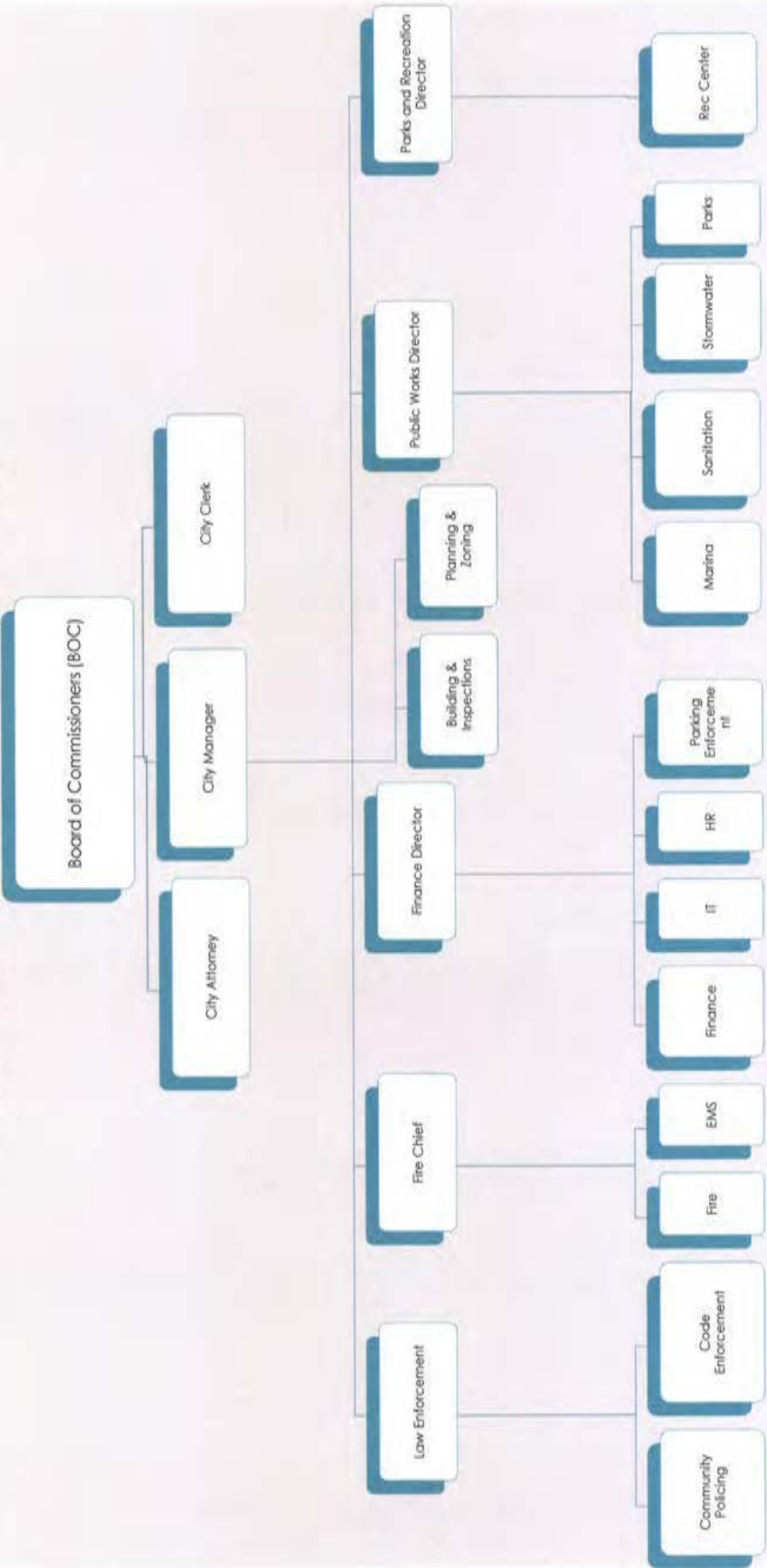
FULL-TIME EQUIVALENT (FTE) POSITIONS

	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
Assistant City Manager/Finance Director	1.00	1.00	1.00	0.00
Finance Director	0.00	0.00	0.00	1.00
Accounting Manager	0.00	1.00	1.00	1.00
Accountant	1.00	0.00	0.00	0.00
Financial Coordinator	0.00	1.00	1.00	0.00
HR/Financial Coordinator	0.00	0.00	0.00	1.00
Accounting Specialist	1.00	0.00	0.00	0.00
Administrative Assistant	1.00	1.00	1.00	1.00
Total Funded Positions	4.00	4.00	4.00	4.00

FY 2018 POSITION CHANGES SUMMARY

Assistant City Manager/Finance Director position has been changed to Finance Director for FY2018. Also Financial Coordinator position is to be renamed HR/Financial Coordinator.

City of Madeira Beach Organizational Chart



- A. *Merit principal.* All appointments and promotions of City employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.
- B. *Civil Service Commission; Membership.* There shall be a Civil Service Commission of the City of Madeira Beach, Florida, which Commission shall be composed of five citizens of said City. The Civil Service Commission shall be appointed by the Board of Commissioners of the City of Madeira Beach, Florida. The term of office for each member shall be three years and shall be staggered so that not more than two terms expire within any one year. Three Commissioners shall constitute a quorum. Members of the Civil Service Commission shall hold no remunerative office or employment under the City of Madeira Beach, Florida. The Board of Commissioners of the City of Madeira Beach, Florida, shall have the authority to remove for cause any and/or all Civil Service Commissioners.
- C. *Personnel Rules.* The Civil Service Commission shall prepare personnel rules. When concurred by the City Manager, the rules shall be proposed to the Board of Commissioners, and the Board of Commissioners may by Ordinance adopt them with or without amendment. These rules shall include, but are not limited to:
1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
 2. A pay plan for all classified City positions;
 3. Methods for determining the merits and fitness of candidates for appointment or promotions;
 4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
 5. The hours of work, attendance regulation and provisions for sick and vacation leave;
 6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
 7. Other practices and procedures necessary to the administration of the City personnel system;
 8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.
- D.

Duties and powers of the Civil Service Commission. All duties, powers, reservations of power, and functions for the Civil Service Commission may be provided for by Ordinance duly passed by the Board of Commissioners of the City of Madeira Beach, Florida.

- E. *Powers to collectively bargain recognized.* Nothing contained in this Charter shall limit the power of the Board of Commissioners of the City of Madeira Beach, Florida, acting through its Manager from entering into collective bargaining negotiations with any officers, employees, or group of employees for the purpose of establishing by contract conditions of employment, rules or compensation of said officers, employees, or groups of employees. For the purposes of this Charter, ARTICLE I, Section 6, of the Constitution of the State of Florida is specifically recognized.

(Ord. No. 446, 1-28-1975; Ord. No. 664, 8-14-1984/11-7-1984; Ord. No. 2018-09, § 1(Exh. A), 8-20-2018)

ORDINANCE 2023-06

AN ORDINANCE OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 4 (CIVIL SERVICE COMMISSION) OF ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES RELATED TO THE DUTIES AND OPERATION OF THE CIVIL SERVICE COMMISSION; AND PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Division 4 of Article III of Chapter 2 of the City of Madeira Beach Code of Ordinances provides for certain procedures related to the operation of the City's Civil Service Commission; and

WHEREAS, Section 5.7(C) of the City Charter provides that the Madeira Beach Civil Service Commission is responsible for the preparation of the City's personnel rules and that, once such proposed rules are concurred with by the City Manager, the same shall be proposed to the Board of Commissioners for consideration, which may adopt same with or without amendment by ordinance. These rules shall include, but are not limited to:

1. The classification of all classified City positions, based upon the duties, authority and responsibility of each position, with adequate provisions for classification of any position whenever warranted by circumstances;
2. A pay plan for all classified City positions;
3. Methods for determining the merits and fitness of candidates for appointment or promotions;
4. The policies and procedures regulating reduction in force, demotion, suspension and removal of employees;
5. The hours of work, attendance regulation and provisions for sick and vacation leave;
6. Grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. In this respect the Civil Service Commission shall have the power to issue subpoenas to compel attendance by witnesses and to administer oaths;
7. Other practices and procedures necessary to the administration of the City personnel system;
8. In connection with the aforementioned personnel rules, the Civil Service Commission shall inquire into the implementation of such personnel rules as considered necessary to ensure compliance therewith.; and

Commented [JC1]: Can this statement follow this sentence? "Grievances against Charter Officers shall be heard by the Civil Service Commission and its findings shall be provided to the Board of Commissioners, the City Manager, and the aggrieved employee by the Civil Service Commission."

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WHEREAS, Section 5.7(D) of the City Charter provides that the Board of Commissioners may provide for the duties and powers of the Civil Service Commission by ordinance; and

WHEREAS, the Board of Commissioners has received recommendations from the City Attorney regarding revising the current substantive and procedural operations of the Civil Service Commission to reflect the intent of the City and to ensure prevailing caselaw and statutory law regarding the function of such bodies is adequately addressed; and

WHEREAS, the City Attorney has reviewed best practices and has recommended the provisions contained in this Ordinance to provide the policy specificity the Board of Commissioners desires; and

WHEREAS, the Board of Commissioners finds that it is in the best interests of the City to adopt the policy provisions set forth in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Board of City Commissioners of City of Madeira Beach, Florida, that:

SECTION 1. Division 4 (Civil Service Commission) of Article III (Boards, Committees, Commissions) of Chapter 2 (Administration) of the City of Madeira Beach Code of Ordinances is hereby amended as follows:

DIVISION 4. - CIVIL SERVICE COMMISSION

Sec. 2-126. - Intent: appellate jurisdiction.

Commented [JC2]: Why is this here?

(a) The intent of this division is to provide for the scope of authority of the civil service commission and to establish procedural and organizational rules related to its exercise of that authority~~create a civil service commission in order to review, prepare, and recommend rules for the city's personnel policies and procedures with regard to classified employees.~~

(b) The civil service commission shall preside over appeals of disciplinary terminations of regular all classified, non-probationary ~~hear grievance for classified employees, but shall not consider appeals of disciplinary actions against employees who are classified as at-will, or who are otherwise made ineligible by the city's adopted personnel policy to file such appeals who believe they have a grievance arising from their employment and render recommendations as provided in the Charter § 6.6C-6. In performing this role, the jurisdiction of the civil service commission is to interpret the city's personnel policy and any other relevant city policies, and to ultimately find if the city had factual and legal just cause to impose the discipline. In reaching its decision, the civil service commission sits in an appellate advisory capacity. The civil service commission does not have jurisdiction over, and may not rule upon, or make findings about, any allegations of a violation of a county, state or federal law. Employees seeking to assert such violations should do so by way of the appropriate statutory procedures.~~

Commented [JC3]: This should read "hear grievance for classified...".

(c) ~~The civil service commission members also recommend cost of living increases and employee pay adjustments to the board of commissioners for consideration.~~

Commented [JC4]: Restore this clause.

Sec. 2-127. - Appointment and membershipOrganization.

- (a) ~~In addition to any charter provisions concerning the appointment and membership of the civil service commission, unless doing so would result in the inability to have a fully-appointed commission, membership and appointment shall be as provided in Charter § 6.6B.~~ The term of each person appointed to the commission shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.
- (b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.
- (c) Members of the civil service commission ~~may be shall be suspended or removed for cause upon the filing of written charges by the mayor. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter. The member shall be~~ Retained, suspended or be removed by majority vote of the board of commissioners.
- (d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the ~~commission chairman shall result in; the member's seat becoming vacant and the city clerk, serving as ex officio secretary to the civil service commission, shall report then declare the member's seat vacancy to and~~ the board of commissioners, which shall promptly fill such vacancy. ~~The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.~~
- (e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.
- (f) ~~The members of the civil service commission shall, in November-October of each year, elect a chairman and a vice-chairman from among its members who shall be voting members. The chair, and in his or her absence the vice-chair, shall preside over meetings and hearings and shall, subject to the will of the entire commission, make rulings on points of order and procedure, and in quasi-judicial hearings shall rule on motions and objections.~~
- (g) Members of the civil service commission shall ~~schedule in advance quarterly meetings. However, if the chair, in consultation with the city manager ex officio secretary, determines that there are no agenda items requiring a scheduled meeting, the chair is~~

Commented [JC5]: Restore this clause.

Commented [JC6]: We need to add a statement that all terms expire on September 30th.

Commented [JC7]: It should never be the City Manager. This must be the Ex Officio Secretary.

authorized to cancel the scheduled meeting, and to instruct the city clerk, acting as ex officio secretary, to notify the members of the cancellation. In addition to its scheduled quarterly meetings, the civil service commission shall promptly schedule hearings on employee post-termination ~~appeals, complaints and grievances,~~ and when grievances are filed. Any other unscheduled meetings ~~may be requested by the city manager or his or her designee~~ the Ex Officio Secretary, through the civil service commission chair to discuss personnel matters which cannot wait until the next regularly-scheduled meeting will be at the behest of staff, in collaboration with the chair of the civil service board.

Commented [JC8]: I believe this should be "grievance" so that it complies with the terminology within the Charter.

Commented [JC9]: The CSC holds the meetings and should approve all unscheduled meetings.

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~~(g)(h)~~ The city manager shall coordinate with the civil service commission chairperson and the human resources coordinator to choose and set meeting dates and time before a meeting is noticed, and

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Commented [JC10]: The city manager and the hr representative may not schedule meetings without approval from the CSC.

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~~(h)(i)~~ Pursuant to the city charter, the city clerk shall serve as the civil service commission's ex officio secretary. In that role, the clerk shall ensure board meetings are noticed and minutes are recorded and maintained so as to ensure compliance with the state's sunshine law. The clerk shall also provide civil service members with electronic copies of agenda materials and keep and maintain the official records of the commission. The clerk shall also serve as the hearing clerk for any quasi-judicial post-termination appeal hearings and in that role shall swear in all witnesses and keep the official record of the hearing, including all exhibits admitted or proffered into evidence. The City Clerk shall also utilize a court reporter for quasi-judicial post-termination appeal hearings.

~~(i)(j)~~ ~~(2)~~ The city manager, ex officio secretary, and the chairperson of the civil service commission shall coordinate and agree on all agenda items prior to the civil service commission meetings, except that the civil service commission cannot refuse to promptly set for hearing a timely-filed post-termination appeal grievance.

Commented [JC11]: The city manager should never decide the content of a CSC meeting. He may request items to add through the chair or ex officio secretary, and if they agree on it, then it is added to the agenda.

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~~(j)(k)~~ ~~(3)~~ Human resources staff or such other staff as may be designated by the city manager's designee shall serve as staff person(s) for the civil service commission and shall attend all meetings of the civil service commission board. In this role, the assigned staff person(s) shall assist the civil service commission by providing it with information, reports, historical data, surveys, or such other information or materials as the civil service commission may reasonably request to assist it in performing its duties of advising on possible policy changes, providing advice and recommendations on policy implementation, and making recommendations, determinations and decisions related to compensation and classification plans, to the extent these matters are within the scope of the civil service commission's duties as set forth in the city charter.

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~~(k)(l)~~ The city attorney shall be the primary legal advisor to the civil service commission on all matters of municipal law. However, in the event the civil service commission may require specialized labor or employment counsel of a nature the city attorney is not able to provide, the city may, within established budgets, provide additional specialized counsel. Prior to each civil service commission meeting, the city manager ex officio secretary and commission chair shall confer on the agenda and determine if the city attorney's attendance would or an employment lawyer for the city

Commented [JC12]: This troubles me. The HR representative and the City Manager should both be available for the CSC, when requested. However, they should not be permanent members of the CSC.

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~~may attend civil service commission meetings as may be necessary or desired, and if so, shall request the city attorney's presence.~~

~~(m)(4) Notwithstanding the foregoing, if, in the sole judgment of the city manager chair and the ex officio secretary, the nature and complexity of the appeal grievance requires that an assistant city attorney to assist the disciplining director in the prosecution of the appeal hearing by presenting arguments and evidence and calling and questioning witnesses, the city attorney shall ensure such attorney is assigned to that role. In no circumstances may the attorney assigned to be the civil service commission's neutral legal advisor also serve as the attorney presenting the disciplining director's case and making argument before the commission.~~

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~~(n)(5) As set forth in the Charter, the civil service commission is an advisory board that makes non-binding advisory recommendations to the city manager and the board of commissioners. In its quasi-judicial role hearing post-termination appeals, the civil service commission will make written findings of fact and conclusions as to the application of those facts to the city's policies. The written recommended order may be rendered by the civil service commission immediately upon the conclusion of a hearing or, if adequate time is required to draft a suitable order, may be rendered at a subsequent meeting to occur in a reasonable time after the conclusion of the hearing. Grievances against Charter Officers shall be heard by the Civil Service Commission and its findings shall be provided to the Board of Commissioners and the aggrieved employee by the Civil Service Commission.~~

- Commented [JC13]: This is troubling. The City Manager should not request legal counsel for the CSC. This request should be made through the members of the CSC. Input and advice from the City Manager should be welcomed.
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Commented [JC14]: This must also reference the BOC. Should it include that the findings are rendered to the employee, the City Manager, and the BOC?

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~~(o) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law.~~

Sec. 2-128. - Procedural matters~~Conduct a meeting/hearing.~~

~~(a) The city clerk, serving as ex officio secretary to the civil service commission, shall ensure all notices of Notification. When and at such time a meeting is scheduled the city administration shall post a notice of the time and place when the civil service commission are posted in a manner compliant with the state's sunshine law shall meet and the topics on their agenda.~~

~~(b) Meetings and /public hearings. At all regular meetings the hearing of the civil service commission, the chair shall afford any interested person the ability to address the commission on any matter to be voted upon by the commission prior to the vote being taken may be heard upon the subject matter. In addition, the civil service commission may, in its adopted rules of procedure, afford time on its agenda for any city employee or citizen to address the commission on any matter within the commission's duties and responsibilities. However, when the civil service commission is sitting in its quasi-judicial capacity during post-termination appeal hearings, it shall not afford such opportunity for comments, but rather shall only base its findings and conclusions on the~~

Commented [JC15]: Should we have a time designation for responses?

documents and testimony admitted into evidence during the hearing, and any arguments the parties or their attorneys may make.

(c) Recommendations. The civil service commission, by majority vote, ~~may make~~ shall ~~conclude~~ recommendations to the city board of commissioners on any matter within the scope of its jurisdiction. Such recommendations may take the form of motions recorded in the minutes, adoption of a written report, or for quasi-judicial appeals, adoption of a written recommended order.

Commented [JC16]: Our findings and decisions must go before the BOC. It is important that that is stated in this rule
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(d) Written records. Minutes shall be kept of all meetings and hearings by the civil service commission, and all hearings shall be open to the public. Pursuant to the city charter, the city clerk shall serve as the ex officio secretary of the civil service commission, and shall perform the duties associated with that role, as set forth in the city code, including the maintenance of the commission's official record. ~~The board of commissioners shall provide clerical and administrative personnel as may be reasonably required by the civil service commission for the proper performance of its duties.~~ The official written record shall include the vote of each member of the civil service commission upon each question, or if absent or failing to vote, indicating such fact. The minutes of all proceedings, decisions and/or recommendations of the civil service commission shall be made public record on file in the office of the city clerk. The City Clerk shall also utilize a court reporter for quasi-judicial post-termination appeal hearings.

~~(d)~~ (e) The civil service commission may adopt such procedural rules to regulate the conduct of its meetings as may be deemed to be necessary and desirable. In developing such rules, the civil service commission shall consult with the city attorney to ensure they comply with the state's sunshine and records laws and, to the extent that they will govern the commission's quasi-judicial post-termination hearings, to ensure they comply with applicable due process standards. ~~Notwithstanding the foregoing, the civil service commission's procedural rules may not place any specific duty or assignment upon any city official or employee and may not be inconsistent with any provision of the city charter or code, or state law.~~

Commented [JC17]: This sentence is NOT a requirement of the charter. How does this interact with the charter's requirement that the CSC conduct inquiries regarding the implementation of the Personnel Policy? We will have to task personnel with minor items with respect to questions and response?
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Sec. 2-129. - Non-appellate pPowers and duties.

(a) The civil service commission, in consultation with the city manager, is charged with the on-going development of the city's classification and pay plans. This includes periodic studies relating to equitable classification categories and pay ranges, shall have the power to establish rules and regulations for its own operation not inconsistent with the provisions of this Code.

Commented [JC18]: The CSC is charged with this responsibility. The City Manager has not place in it with respect to the Charter.
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(b) The civil service commission, working with the city manager and relevant human resources staff, will periodically examine, by use of staff, consultants, and such other resources available, market conditions and comparative wage data for relevant public and private sector employers, and based upon the results of this examination, will make a written recommendation to the city manager ~~board of commissioners~~ concerning wage adjustments.

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Commented [JC19]: The Charter does not reflect this language.

(c) The civil service commission, ~~working with the city manager and relevant human resources staff,~~ is charged with developing recommended classifications and pay plans (subject to budgets approved by the board of commissioners) ~~as the city's business needs and operating experience dictate.~~

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Commented [JC20]: The Charter does not reflect this language.

SECTION 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

SECTION 3. For purposes of codification of any existing section of the Madeira Beach City Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

SECTION 4. The Codifier shall codify the substantive amendments to the Madeira Beach City Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

SECTION 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2023.

James "Jim" Rostek, Mayor

ATTEST:

Clara VanBlargan, City Clerk

PASSED ON FIRST READING:

PASSED ON SECOND READING:

ORDINANCE 2023-06

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 4 (CIVIL SERVICE COMMISSION) OF ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF ORDINANCES RELATED TO THE DUTIES AND OPERATION OF THE CIVIL SERVICE COMMISSION; AND PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Division 4 of Article III of Chapter 2 of the City of Madeira Beach Code of Ordinances provides for certain procedures related to the operation of the City’s Civil Service Commission; and

WHEREAS, Section 5.7(C) of the City Charter provides that the Madeira Beach Civil Service Commission is responsible for the preparation of the City’s personnel rules and that, once such proposed rules are concurred with by the City Manager, the same shall be proposed to the Board of Commissioners for consideration, which may adopt same with or without amendment by ordinance; and

WHEREAS, Section 5.7(D) of the City Charter provides that the Board of Commissioners may provide for the duties and powers of the Civil Service Commission by ordinance; and

WHEREAS, the Board of Commissioners has received recommendations from the City Attorney regarding revising the current substantive and procedural operations of the Civil Service Commission to reflect the intent of the City and to ensure prevailing caselaw and statutory law regarding the function of such bodies is adequately addressed; and

WHEREAS, the City Attorney has reviewed best practices and has recommended the provisions contained in this Ordinance to provide the policy specificity the Board of Commissioners desires; and

WHEREAS, the Board of Commissioners finds that it is in the best interests of the City to adopt the policy provisions set forth in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Board of City Commissioners of City of Madeira Beach, Florida, that:

SECTION 1. Division 4 (Civil Service Commission) of Article III (Boards, Committees, Commissions) of Chapter 2 (Administration) of the City of Madeira Beach Code of Ordinances is hereby amended as follows:

DIVISION 4. - CIVIL SERVICE COMMISSION

Sec. 2-126. - Intent; appellate jurisdiction.

- (a) The intent of this division is to provide for the scope of authority of the civil service commission and to establish procedural and organizational rules related to its exercise of that authority~~create a civil service commission in order to review, prepare, and recommend rules for the city's personnel policies and procedures with regard to classified employees.~~
- (b) The civil service commission shall preside over appeals of disciplinary terminations of regular, non-probationary~~hear grievance for classified employees, but shall not consider appeals of disciplinary actions against employees who are classified as at-will, or who are otherwise made ineligible by the city's adopted personnel policy to file such appeals who believe they have a grievance arising from their employment and render recommendations as provided in the Charter § 6.6C.6. In performing this role, the jurisdiction of the civil service commission is to interpret the city's personnel policy and any other relevant city policies, and to ultimately find if the city had factual and legal just cause to impose the discipline. In reaching its decision, the civil service commission sits in an appellate advisory capacity. The civil service commission does not have jurisdiction over, and may not rule upon, or make findings about, any allegations of a violation of a county, state or federal law. Employees seeking to assert such violations should do so by way of the appropriate statutory procedures.~~
- (c) ~~The civil service commission members also recommend cost of living increases and employee pay adjustments to the board of commissioners for consideration.~~

Sec. 2-127. - Appointment and membership~~Organization.~~

- (a) In addition to any charter provisions concerning the appointment and membership of t~~The civil service commission, unless doing so would result in the inability to have a fully-appointed commission, t-membership and appointment shall be as provided in Charter § 6.6B.~~ The term of each person appointed to the commission shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.
- (b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.
- (c) Members of the civil service commission may be~~shall be suspended or removed for cause upon the filing of written charges by the mayor. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the~~

- ~~charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter. The member shall be retained, suspended or be removed by majority vote of the board of commissioners.~~
- (d) ~~The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the commission chairman shall result in; the member's seat becoming vacant and the city clerk, serving as ex officio secretary to the civil service commission, shall report then declare the ~~member's seat~~ vacancy ~~to~~ and the board of commissioners, which shall promptly fill such vacancy. ~~The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.~~~~
- (e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.
- (f) The members of the civil service commission shall, in November of each year, elect a ~~chairman~~ and a vice-chairman from among its members who shall be voting members. The chair, and in his or her absence the vice-chair, shall preside over meetings and hearings and shall, subject to the will of the entire commission, make rulings on points of order and procedure, and in quasi-judicial hearings shall rule on motions and objections.
- (g) ~~Members of the civil service commission shall schedule in advance quarterly meetings. However, if the chair, in consultation with the city manager, determines that there are no agenda items requiring a scheduled meeting, the chair is authorized to cancel the scheduled meeting, and to instruct the city clerk, acting as ex officio secretary, to notify the members of the cancellation. In addition to its scheduled quarterly meetings, the civil service commission shall promptly schedule hearings on employee post-termination appeals. and when grievancees are filed. Any other unscheduled meetings may be requested by the city manager or his or her designee to discuss personnel matters which cannot wait until the next regularly-scheduled meeting will be at the behest of staff, in collaboration with the chair of the civil service board.~~
- ~~(g)~~(h) The city manager shall coordinate with the civil service commission chairperson and the human resources coordinator to choose and set meeting dates and time before a meeting is noticed; ~~and.~~
- ~~(h)~~(i) Pursuant to the city charter, the city clerk shall serve as the civil service commission's ex officio secretary. In that role, the clerk shall ensure board meetings are noticed and minutes are recorded and maintained so as to ensure compliance with the state's sunshine law. The clerk shall also provide civil service members with electronic copies of agenda materials and keep and maintain the official records of the commission. The clerk shall also serve as the hearing clerk for any quasi-judicial post-termination appeal hearings and in that role shall swear in all witnesses and keep the official record of the hearing, including all exhibits admitted or proffered into evidence. The City Clerk shall also utilize a court reporter for quasi-judicial post-termination appeal hearings.

- (j)(2) The city manager and the chairperson of the civil service commission shall coordinate and agree on all agenda items prior to the civil service commission meetings, except that the civil service commission cannot refuse to promptly set for hearing a timely-filed post-termination appeal.
- (k)(3) Human resources staff or such other staff as may be designated by the city manager's ~~designee~~ shall serve as staff person(s) for the civil service commission and shall attend all meetings of the civil service commission board. In this role, the assigned staff person(s) shall assist the civil service commission by providing it with information, reports, historical data, surveys, or such other information or materials as the civil service commission may reasonably request to assist it in performing its duties of advising on possible policy changes, providing advice and recommendations on policy implementation, and making recommendations related to compensation and classification plans, to the extent these matters are within the scope of the civil service commission's duties as set forth in the city charter.
- (l)(1) The city attorney shall be the primary legal advisor to the civil service commission on all matters of municipal law. However, in the event the civil service commission may require specialized labor or employment counsel of a nature the city attorney is not able to provide, the city may, within established budgets, provide additional specialized counsel. Prior to each civil service commission meeting, the city manager and commission chair shall confer on the agenda and determine if the city attorney's attendance would or an employment lawyer for the city may attend civil service commission meetings as may be necessary or desired, and if so, shall request the city attorney's presence.
- (m)(4) Notwithstanding the foregoing, if, in the sole judgment of the city manager, the nature and complexity of the appeal requires that an assistant city attorney to assist the disciplining director in the prosecution of the appeal hearing by presenting arguments and evidence and calling and questioning witnesses, the city attorney shall ensure such attorney is assigned to that role. In no circumstances may the attorney assigned to be the civil service commission's neutral legal advisor also serve as the attorney presenting the disciplining director's case and making argument before the commission.
- (n)(5) As set forth in the Charter, the civil service commission is an advisory board that makes non-binding advisory recommendations to the city manager. In its quasi-judicial role hearing post-termination appeals, the civil service commission will make written findings of fact and conclusions as to the application of those facts to the city's policies. The written recommended order may be rendered by the civil service commission immediately upon the conclusion of a hearing or, if adequate time is required to draft a suitable order, may be rendered at a subsequent meeting to occur in a reasonable time after the conclusion of the hearing.
- (o) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law.

Sec. 2-128. - Procedural matters ~~Conduct a meeting/hearing.~~

- (a) ~~The city clerk, serving as ex officio secretary to the civil service commission, shall ensure all notices of Notification. When and at such time a meeting is scheduled the city administration shall post a notice of the time and place when the civil service commission are posted in a manner compliant with the state's sunshine law shall meet and the topics on their agenda.~~
- (b) ~~Meetings and /public hearings. At all regular meetings the hearing of the civil service commission, the chair shall afford any interested person the ability to address the commission on any matter to be voted upon by the commission prior to the vote being taken may be heard upon the subject matter. In addition, the civil service commission may, in its adopted rules of procedure, afford time on its agenda for any city employee or citizen to address the commission on any matter within the commission's duties and responsibilities. However, when the civil service commission is sitting in its quasi-judicial capacity during post-termination appeal hearings, it shall not afford such opportunity for comments, but rather shall only base its findings and conclusions on the documents and testimony admitted into evidence during the hearing, and any arguments the parties or their attorneys may make.~~
- (c) ~~Recommendations. The civil service commission, by majority vote, may make shall conclude recommendations to the city on any matter within the scope of its jurisdiction. Such recommendations may take the form of motions recorded in the minutes, adoption of a written report, or for quasi-judicial appeals, adoption of a written recommended order.~~
- (d) ~~Written records. Minutes shall be kept of all meetings and hearings by the civil service commission, and all hearings shall be open to the public. Pursuant to the city charter, the city clerk shall serve as the ex officio secretary of the civil service commission, and shall perform the duties associated with that role, as set forth in the city code, including the maintenance of the commission's official record. The board of commissioners shall provide clerical and administrative personnel as may be reasonably required by the civil service commission for the proper performance of its duties. The official written record shall include the vote of each member of the civil service commission upon each question, or if absent or failing to vote, indicating such fact. The minutes of all proceedings, decisions and/or recommendations of the civil service commission shall be made public record on file in the office of the city clerk. The City Clerk shall also utilize a court reporter for quasi-judicial post-termination appeal hearings.~~
- (~~d~~)~~(e)~~ ~~The civil service commission may adopt such procedural rules to regulate the conduct of its meetings as may be deemed to be necessary and desirable. In developing such rules, the civil service commission shall consult with the city attorney to ensure they comply with the state's sunshine and records laws and, to the extent that they will govern the commission's quasi-judicial post-termination hearings, to ensure they comply with applicable due process standards. Notwithstanding the foregoing, the civil service commission's procedural rules may not place any specific duty or assignment upon any~~

city official or employee and may not be inconsistent with any provision of the city charter or code, or state law.

Sec. 2-129. - Non-appellate pPowers and duties.

(a) The civil service commission, in consultation with the city manager, is charged with the on-going development of the city’s classification and pay plans. This includes periodic studies relating to equitable classification categories and pay ranges, shall have the power to establish rules and regulations for its own operation not inconsistent with the provisions of this Code.

(b) The civil service commission, working with the city manager and relevant human resources staff, will periodically examine, by use of staff, consultants, and such other resources available, market conditions and comparative wage data for relevant public and private sector employers, and based upon the results of this examination, will make a written recommendation to the city manager concerning wage adjustments.

(c) The civil service commission, working with the city manager and relevant human resources staff, is charged with developing recommended classifications and pay plans (subject to budgets approved by the board of commissioners) as the city’s business needs and operating experience dictate.

SECTION 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

SECTION 3. For purposes of codification of any existing section of the Madeira Beach City Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

SECTION 4. The Codifier shall codify the substantive amendments to the Madeira Beach City Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

SECTION 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2023.

John B. Hendricks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

so long as all of the requirements of public notice and hearing are adhered to, as provided in this Code.

(Code 1983, § 2-310; Ord. No. 974, § 2, 9-24-02; Ord. No. 1044, § 3, 5-24-05; Ord. No. 1050, § 2, 8-9-05)

Editor's note—Ord. No. 974, § 2, adopted September 24, 2002, changed the title of § 2-82 from "Authority to institute amendments to zoning regulations" to "Authority to initiate amendments to zoning regulations and zoning boundaries." See note at § 2-81.

Sec. 2-83. Conflict of interest provisions.

(a) No member of the local planning agency shall communicate with another member of the local planning agency concerning their intent on any issue or potential issue which is or may be placed before them except at their scheduled meetings.

(b) No member of the local planning agency shall communicate with any party, witness, representative of a party, or interceding person concerning any issues except at their scheduled meetings or as otherwise specified in article I, division 2 for ex-parte communications.

(c) Failure on the part of a member of the local planning agency to comply with the provisions of this section shall constitute grounds for removal of such member from the local planning agency. (Code 1983, § 2-312; Ord. No. 974, § 2, 9-24-02; Ord. No. 1044, § 3, 5-24-05; Ord. No. 1050, § 2, 8-9-05)

Editor's note—See note at § 2-81.

State law references—Public meetings, Florida Statutes § 286.011; ex parte communications, Florida Statutes § 286.0115.

Secs. 2-84—2-100. Reserved.

DIVISION 3. RESERVED*

Secs. 2-101—2-125. Reserved.

***Editor's note**—Ord. No. 1019, § 2, adopted May 25, 2004, repealed division 3 in its entirety, which pertained to the board of adjustment and derived from the Code of 1983, §§ 2-402—2-410, 2-412, and Ord. No. 953, § 1, adopted November 13, 2001.

DIVISION 4. CIVIL SERVICE COMMISSION†

Sec. 2-126. Intent.

(a) The intent of this division is to create a civil service commission in order to review, prepare, and recommend rules for the city's personnel policies and procedures with regard to classified employees.

(b) The civil service commission shall hear grievance for classified employees who believe they have a grievance arising from their employment and render recommendations as provided in the Charter § 6.6C.6.

(c) The civil service commission members also recommend cost of living increases and employee pay adjustments to the board of commissioners for consideration.

(Code 1983, § 2-502)

Sec. 2-127. Organization.

(a) The civil service commission membership and appointment shall be as provided in Charter § 6.6B. The term of each person appointed shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.

(b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.

(c) Members of the civil service commission shall be suspended or removed for cause upon the filing of written charges by the mayor. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter.

†**Charter reference**—Civil service commission, § 6.6.

Cross reference—Personnel, ch. 50.

The member shall be retained, suspended or be removed by majority vote of the board of commissioners.

(d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the chairman, the civil service commission shall then declare the member's seat vacant and the board of commissioners shall promptly fill such vacancy. The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.

(e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.

(f) The members of the civil service commission shall, in November of each year, elect a chairman and a vice-chairman from among its members who shall be voting members.

(g) Members of the civil service commission shall meet quarterly, as necessary, or at the call of the chairman. All meetings of the civil service commission shall be public.

(h) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law. (Code 1983, § 2-503; Ord. No. 1028, § 2, 8-24-04; Ord. No. 1075, § 1, 4-25-06)

Charter reference—Civil service commission membership, § 6.6B.

Sec. 2-128. Conduct a meeting/hearing.

(a) *Notification.* When and at such time a meeting is scheduled the city administration shall post a notice of the time and place when the civil service commission shall meet and the topics on their agenda.

(b) *Meetings/public hearing.* At the hearing of the civil service commission any interested person may be heard upon the subject matter.

(c) *Recommendations.* The civil service commission, by majority vote, shall conclude recommendations.

(d) *Written records.* Minutes shall be kept of all meetings and hearings by the civil service commission, and all hearings shall be open to the public. The board of commissioners shall provide clerical and administrative personnel as may be reasonably required by the civil service commission for the proper performance of its duties. The written record shall include the vote of each member of the civil service commission upon each question, or if absent or failing to vote, indicating such fact. The minutes of all proceedings, decisions and/or recommendations of the civil service commission shall be made public record on file in the office of the city clerk.

(Code 1983, § 2-504)

Sec. 2-129. Powers.

The civil service commission shall have the power to establish rules and regulations for its own operation not inconsistent with the provisions of this Code.

(Code 1983, § 2-505)

Secs. 2-130—2-150. Reserved.

ARTICLE IV. DEPARTMENTS, OFFICERS, EMPLOYEES*

Sec. 2-151. Generally.

(a) The administrative departments of the city shall be as follows:

- (1) City manager/administration department.
- (2) Building and zoning department.
- (3) Finance department.
- (4) Community services department—Administrative.

***Charter references**—City manager, art. V; charter officers, § 6.1; city clerk, § 6.2; city attorney, § 6.3; treasurer, § 6.4; administrative departments, § 6.5.

Cross reference—Any ordinance establishing positions, classifying employees and setting salaries, or regarding personnel policies or pensions or retirement benefits not inconsistent with this Code saved from repeal, § 1-11(7).

ORDINANCE 1075

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CITY OF MADEIRA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY, AS NECESSARY OR AT THE CALL OF THE CHAIRMAN; PROVIDING FOR READING BY TITLE ONLY; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the Civil Service Commission, although a very important board, does not have enough work to meet monthly; and

WHEREAS, City Administration inquired if the membership would object to amending the Code to meet quarterly as necessary or at the call of the chairman; and

WHEREAS, the membership had no objections, since it could meet more often if necessary or at the call of the chairman; and

WHEREAS, the City of Madeira Beach Board of Commissioners believe this amendment to the Code is in the public's best interest.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, as follows:

SECTION 1: That Chapter 2 (Administration), Article III (Boards, Committees, Commissions), Division 4 (Civil Service Commission), Section 2-127. (Organization), be amended to read as follows:

Sec. 2-127. Organization.

- (a) The civil service commission membership and appointment shall be as provided in Charter § 6.6B. The term of each person appointed shall be staggered so that not more than two terms expire within any one year. Any civil service commission member may be reappointed by the board of commissioners. Appointments to fill vacancies shall be for the unexpired term of office.
- (b) Members of the civil service commission shall be residents of the city at the time of their appointment and throughout the term of office. Any member who is no longer a resident of the city shall be automatically removed, and that vacancy filled as provided in this division.

- (c) Members of the civil service commission shall be suspended or removed for cause upon the filing of written charges by the board of commissioners. A written charge shall not be issued except upon majority vote of the board of commissioners. The written charges shall be served by hand delivery or certified mail upon the member being charged. The member being charged shall have 15 days to appeal the charges to the board of commissioners. If the charges are appealed, the member of the civil service commission being charged shall be afforded a prompt public hearing on the matter. The member shall be retained, suspended or be removed by majority vote of the board of commissioners.
- (d) The failure of any member of the civil service commission to attend two of three successive meetings without cause and without prior approval of the chairman, the civil service commission shall then declare the member's seat vacant and the board of commissioners shall promptly fill such vacancy. The failure of any individual civil service commission member to attend four meetings of the civil service commission in any contiguous 12-month period shall be cause for removal.
- (e) Appointments shall be made, consistent with the Charter on the basis of demonstrated experience or interest in the subject matter.
- (f) The members of the civil service commission shall, in November of each year, elect a chairman and a vice-chairman from among its members who shall be voting members.
- (g) Members of the civil service commission shall meet ~~on the second Thursday of each month~~ quarterly, as necessary, or at the call of the chairman. All meetings of the civil service commission shall be public.
- (h) Civil service commission members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by board of commissioners or as otherwise provided by law.

(Code 1983, § 2-503, Ord 1075-4/25/06)

SECTION 2: The provisions of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 3: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

SECTION 4: That this Ordinance shall be in full force and effect upon adoption in the manner provided by law.


PUBLISHED the 9th day of April, 2006. (City Charter 7.3b).

PASSED ON FIRST READING by the Board of Commissioners of the City of Madeira Beach, Florida, held on the 11th day of April, 2006.

ADOPTED ON SECOND READING AND PUBLIC HEARING this 25th day of April, 2006.

AYES: (5) Commissioners Alloway, Boos, Thomas, Wolbert and Mayor Parker
NAYS: (0)
ABSENT: (0)
ABSTAIN: (0)

APPROVED AS TO FORM



Michael A. Connolly
City Attorney



Charles H. Parker
Mayor

ATTEST:



Denise M. Schlegel
City Clerk



ST. PETERSBURG TIMES

Published Daily
St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA }
COUNTY OF PINELLAS } S.S.

Before the undersigned authority personally appeared B. Stamper who on oath says that he is Legal Clerk of the Neighborhood Times - Beaches Edition

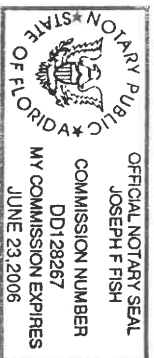
a daily newspaper published at St. Petersburg, in Pinellas County, Florida: that the attached copy of advertisement, being a Legal Notice in the matter RE: Ordinances 1075, 1076, 1077, 1078, 1080, 1081

was published in said newspaper in the issues of April 9, 2006

Affiant further says the said Neighborhood Times - Beaches Edition is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signature of Affiant

Sworn to and subscribed before me this 10th day of April A.D. 2006



Notary Public

LEGAL NOTICE THE CITY OF MADIERA BEACH, FLORIDA NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN:

• That the Board of Commissioners of the City of Madiera Beach will hold a Meeting to conduct the First Reading/Public Hearing on Ordinances 1075, 1076, 1077, 1078, 1080, and 1081 on TUESDAY, APRIL 11, 2006, at 7:00 P.M.
• That upon passage of Ordinances 1075, 1076, 1077, 1078, 1080, and 1081 on first reading, the Board of Commissioners of the City of Madiera Beach will conduct the Second and Final Reading /Public Hearing on TUESDAY, APRIL 25, 2006, at 7:00 P.M.

The title of said Ordinances are as follows:

ORDINANCE 1075 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, AMENDING THE CITY OF MADIERA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY AS NECESSARY OR AT THE CALL OF THE CHAIRMAN, PROVIDING FOR SEVERABILITY, TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 1076 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, AMENDING THE CITY OF MADIERA BEACH CODE OF ORDINANCES, CHAPTER 26 (ELECTIONS); BY CREATING SECTION 26-6 (CANDIDATE WITHDRAWAL), TO REQUIRE THAT A QUALIFIED CANDIDATE THAT WITHDRAWS AFTER 5 WORKING DAYS OF THE QUALIFYING PERIOD SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE CREATION OF A NEW BALLOT, THE COST OF ABSENTEE BALLOT KITS, THE REMAINING OF ABSENTEE BALLOTS, AND ANY PAID AND PREPAID POSTAGE ASSOCIATED WITH SUCH; PROVIDING FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

ORDINANCE 1077 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, PROPOSING AN AMENDMENT TO THE CITY CHARTER, ARTICLE III (ELECTIONS), TO ALLOW THE BOARD OF COMMISSIONERS TO DESIGNATE A CANVASSING BOARD FOR EACH ELECTION TO CERTIFY ALL TESTS OF ELECTION EQUIPMENT AND CANVASS ABSENTEE AND PROVISIONAL BALLOTS, PROVIDING THAT THE PROPOSED AMENDMENT BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE BALLOT LANGUAGE TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION.

TION: PROVIDING AND PROVIDING
ORDINANCE 1077 - AN AMENDMENT TO THE CITY CHARTER, ARTICLE III (ELECTIONS), TO ALLOW THE BOARD OF COMMISSIONERS TO DESIGNATE A CANVASSING BOARD FOR EACH ELECTION TO CERTIFY ALL TESTS OF ELECTION EQUIPMENT AND CANVASS ABSENTEE AND PROVISIONAL BALLOTS, PROVIDING THAT THE PROPOSED AMENDMENT BE CONSIDERED BY THE ELECTORATE AT A REFERENDUM ELECTION CONCERNING SUCH PROPOSED AMENDMENT; ESTABLISHING THE BALLOT LANGUAGE TO BE PRESENTED TO THE ELECTORATE ON SUCH REFERENDUM QUESTION; PROVIDING FOR THE DATE OF SUCH REFERENDUM ELECTION.

ORDINANCE 1075 - AN ORDINANCE OF THE CITY OF MADIERA BEACH, FLORIDA, AMENDING THE CITY OF MADIERA BEACH CODE OF ORDINANCES, CHAPTER 2 (ADMINISTRATION), ARTICLE III (BOARDS, COMMITTEES, COMMISSIONS), DIVISION 4 (CIVIL SERVICE COMMISSION), SECTION 2-127 (ORGANIZATION), TO CHANGE THE MEETING DATES OF THE CIVIL SERVICE COMMISSION FROM THE SECOND THURSDAY OF EACH MONTH TO QUARTERLY AS NECESSARY OR AT THE CALL OF THE CHAIRMAN, PROVIDING FOR SEVERABILITY, TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND BY PROVIDING FOR AN EFFECTIVE DATE THEREOF.

A copy of the for inspection between the hour through Friday. All persons are they make to 1 encouraged to Board of Com individual to p public at large, any decision of matter consider of the proceed to ensure that is made, which evidence upon Florida Statute City of Madier Denise M. Sch 04/09/06

ORDINANCE 2023-07

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, BY CREATING NEW ARTICLES I, GENERAL PROVISIONS; AND II, WHISTLEBLOWER PROVISIONS, OF CHAPTER 50 (PERSONNEL) OF THE CODE OF ORDINANCES TO PROVIDE FOR GENERAL EMPLOYMENT MATTERS INCLUDING A PROCESS FOR INVESTIGATING EMPLOYEE COMPLAINTS AGAINST THE CITY MANAGER AND TO ESTABLISH AN ADMINISTRATIVE PROCEDURE FOR EMPLOYEES AND OTHER PERSONS TO REPORT INSTANCES OF ILLEGALITY, MISMANAGEMENT, MALFEASANCE, WASTE OR FRAUD ON THE PART OF CITY EMPLOYEES, AGENTS OR CONTRACTORS; PROVIDING A PROCEDURE FOR INVESTIGATING SUCH ALLEGATIONS; PROVIDING FOR NON-RETALIATION FOR PERSONS WHO REPORT SUCH INSTANCES; PROVIDING A MANNER FOR ALLEGING RETALIATION TO SEEK REDRESS; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the current City Code does not properly address situations wherein an employment-related complaint is brought against the City Manager other than the procedure for removing the city manager from office as provided in City Charter, Section 5.4, A.; and

WHEREAS, the current City Code does not provide for an avenue by which City employees or vendors may bring to the City’s attention allegations of illegality, mismanagement, malfeasance, waste or fraud on the part of City employees or City vendors; and

WHEREAS, Florida Statute § 112.3187, entitled the “Whistle-blower’s Act,” provides certain protections to persons who disclose information regarding illegal or malfeasant conduct on the part of government employees, agents or contractors; and

WHEREAS, subsection (8)(b) of the Act provides for the establishment, by local ordinance, of an administrative procedure to permit disclosure and protect those persons making disclosure from retaliation; and

WHEREAS, the Act provides that where a local government adopts a local ordinance establishing such administrative procedures, that it will have an opportunity to address complaints locally rather than having a complainant proceed directly to court; and

WHEREAS, the Board of Commissioners finds that addressing these matters in the Code of Ordinances will help ensure that the City’s employees will have sufficiently detailed methods

to raise such issues, and that standardized procedures are in place for the City to address any such issues; and

WHEREAS, the City Attorney has reviewed best practices and has recommended the provisions contained in this Ordinance to provide the policy specificity the Board of Commissioners desires; and

WHEREAS, the Board of Commissioners finds that it is in the best interests of the City to adopt the policy provisions set forth in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Board of City Commissioners of City of Madeira Beach, Florida, that:

SECTION 1. A new Article I of Chapter 50 (Personnel), entitled General Provisions, is hereby created as follows:

Article I – General Provisions

Sec. 50-1. – Policy and procedures.

The Board of Commissioners will adopt a personnel policy and procedures manual from time to time by ordinance, which shall be codified in the Code of Ordinances and kept on file in the city clerk's office.

Sec. 50-2. Complaints against the city manager.

- (a) Notwithstanding any personnel policy or code provision to the contrary, any employee of the city who desires to make a personnel-related complaint (other than a whistleblower complaint addressed in article II of this chapter) against the city manager shall communicate that complaint in writing directly to the city's mayor. In the event any such complaint is directed to the city manager, the city attorney, the city's human resources staff, or any other managerial official of the city, that official shall refrain from taking any action regarding the complaint but shall instead immediately convey the complaint to the mayor.
- (b) Upon receiving such complaint, the mayor will confer with the city attorney to obtain such counsel as the mayor deems necessary. The mayor shall then ensure that the complaint is investigated without the involvement in any way of the city manager, except that the city manager will be required to fully cooperate with any investigatory efforts made, including being interviewed regarding the complaint.
- (c) The mayor may either investigate the complaint him or herself or, if the nature of the complaint is factually complex or may involve the violation of state or federal employment laws, the mayor may assign the city attorney to perform the investigation or may use budgeted city funds to retain a qualified third party individual or firm to conduct the investigation.

- (d) Once the complaint has been investigated, a written report summarizing the complaint, the investigation's findings, and making any recommendations as to the resolution of the complaint shall be provided by the mayor to the city manager and the members of the board of commissioners. The board of commissioners shall have the ultimate authority as to what, if any actions shall be taken to address the complaint. At the meeting where the board of commissioners considers the investigatory report, the city manager shall be afforded the opportunity to address the commission, in person or in writing, providing any such additional information or argument as the city manager may desire to make.
- (e) Nothing herein shall be interpreted as prohibiting an employee from filing administrative charges with any state or federal agency with jurisdiction to receive the employee's complaint.
- (f) The term "personnel-related complaint" as used in this section shall mean any complaint alleging that the city manager him or herself has directly engaged in unlawful discrimination or unlawful retaliation towards the employee, or has directly violated the employee's constitutional rights. The city manager's mere review and upholding of a disciplinary decision shall not be the basis of a personnel-related complaint unless the complaining employee alleges that the city manager's decision to uphold the decision was an act of unlawful discrimination or unlawful retaliation against the employee, or a violation the employee's constitutional rights.

SECTION 2. A new Article II of Chapter 50 (Personnel) of the Madeira Beach City Code, entitled Whistle-blower Provisions, is hereby created as follows:

Article II – Whistleblower Provisions

Sec. 50-20. Procedure for disclosing certain information.

- (a) An employee, independent contractor working for the city, or employee of an independent contractor working for the city, who has information concerning the following categories is required to disclose that information to the city manager or, if the allegation is against the manager, then to the city attorney (both of whom are designated as the appropriate local officials for receiving whistleblower disclosures per Florida Statute § 112.3187(6)):
- (1) Any violation or suspected violation of any federal, state, or local law, rule or regulation committed by an employee or agent of the city or independent contractor of the city, which creates and presents a substantial and specific danger to the public's health, safety, or welfare.
 - (2) Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of the city or independent contractor of the city.

- (b) Pursuant to Florida Statutes § 112.3187(7), to receive statutory whistleblower protection, the information must be disclosed on the employee's, contractor's or employee of a contractor's own initiative, be in writing, and be signed by the employee or person making the disclosure.

Sec. 50-21. Procedure for investigating disclosures.

- (a) Once a disclosure has been made, the city manager shall confer with the mayor to determine whether any investigation is warranted and, if so, an appropriate course of investigation of the disclosure, in light of the specifics of the disclosure, the laws and regulations which may apply, the complexity or sophistication of the matters involved in the disclosure, whether criminal violations may be present, and any other relevant factors. Should the city manager be the subject of a disclosure, then the city attorney shall confer with the mayor on a proper course of action.
- (b) The level of formality and documentation of any investigation of disclosures made may vary depending on the nature and severity of the disclosure. In any event, the members of the board of commissioners shall be kept updated as appropriate on the progress of any investigation to the extent allowed by applicable confidentiality laws and records exemptions.
- (c) Once a determination has been made with respect to how any investigation will proceed, such investigation will be conducted in an expeditious manner. The city manager or city attorney, as the case may be, shall make any criminal or regulatory referrals, recommend modified policies to the board of commissioners, or take any other actions which are deemed necessary as a result of the investigation. Criminal or regulatory referrals may be made even before the investigation is concluded if doing so will prevent or reduce a substantial and specific danger to the public's health, safety, or welfare, will avoid the expiration of any criminal statute of limitations, or where the severity of any criminal allegation is such that a law enforcement referral must promptly be made.
- (d) Notwithstanding any of the foregoing, while the city manager may determine that it is in the city's best interests to defer an internal investigation pending resolution of any external criminal or regulatory referral, the city reserves the right to make its own independent determination as to any whistleblower disclosure with respect to the application of the city's own contractual agreements, codes and policies.

Sec. 50-22. Retaliation prohibited.

Neither the city manager, nor an independent contractor of the city, nor any managerial personnel working under either, shall dismiss, discipline, or take any other adverse employment action against any of their respective employees because such employee(s) disclosed, in good faith, information categorized in § 50-20. Neither the city manager, nor any managerial personnel working under the city manager, shall take any adverse regulatory or contractual action that affects

the rights or interests of an independent contractor or employee of an independent contractor for having disclosed, in good faith, information categorized in § 50-20.

Sec. 5-23. Persons protected.

- (a) Pursuant to Florida Statutes § 112.3187(7), any employee, independent contractor working for the city, **or employee of an independent contractor working for the city**-who discloses information on his or her own initiative and in the manner prescribed in § 50-20(b), is protected from retaliation based on such disclosure.
- (b) Any employee, independent contractor working for the city, or employee of an independent contractor working for the city who is requested to participate in any investigation or hearing concerning a disclosure made pursuant to § 50-20 is also protected from retaliation based on such participation.
- (c) Any person who refuses to participate in any retaliatory actions prohibited by § 50-22 is protected from retaliation for such refusal.
- (d) No person is afforded the protections provided in this article where such person:
 - (1) Knowingly submits an untruthful claim or report;
 - (2) Commits or intentionally participates in committing the violation or suspected violation for which protection from retaliation is being sought;
 - (3) Violates any personnel rule or policy in connection with or related to the subject of the disclosure; or
 - (4) Violates any contractual or regulatory provision applicable to city contracts which are the subject of or related to the disclosure.
- (e) Nothing herein precludes city from taking any personnel, contractual, or other action against any employee, or other person which is predicated upon grounds other than, and would have been taken absent, the employee's or person's disclosure of information under § 50-20.
- (f) The provisions of this section may not be used by a person while he or she is under the care, custody, or control of the state correctional system, a county sheriff, or a municipal police department after release therefrom, with respect to circumstances that occurred during any period of incarceration.

Sec. 50-24. Procedure for reviewing complaint of retaliation.

- (a) Any complaint of retaliation prohibited under § 50-23 must be filed with human resources or the city manager within 60 days after the alleged retaliatory action. Such complaint

must be submitted in writing, setting forth the facts which constitute the alleged retaliation. Once a retaliation complaint has been received, the city manager shall transmit the complaint, along with all other documentation relevant to the complaint, to the city's civil service commission. Upon hearing the complaint, the civil service commission must make findings of fact and a conclusion as to whether prohibited retaliation has occurred. These findings and conclusions shall be reduced to writing and a copy shall be provided to the complaining party.

- (b) If it is determined that retaliation has occurred, the city manager shall take such actions as would remedy the effects thereof, including reinstatement of the city employee to the same position held before the adverse action was commenced, or to an equivalent position or reasonable front pay as alternative relief; reinstatement of the employee's full fringe benefits and seniority rights, as appropriate; compensation, if appropriate, for lost wages, benefits, or other lost remuneration caused by the adverse action. The city manager is authorized to promulgate any forms or procedures, not inconsistent with these provisions, to facilitate the complaint review process.
- (c) Notwithstanding the foregoing, any city employee who is a member of a collective bargaining agreement may elect to pursue any remedy available pursuant to such agreement, however, such employee may not pursue both remedies.

Sec. 50-25. Confidentiality of information.

- (a) Pursuant to Florida Statutes § 112.3188(1), the name or identity of any individual who makes a disclosure in good faith of the kind of information set forth in § 50-20, and in the manner set forth in § 50-21, may not be disclosed, without the written consent of the individual, to anyone other than the appropriate local officials designated in § 50-20(a) and such of their staff as are necessary to investigate the disclosure.
- (b) However, such disclosure is permitted if the designated appropriate local official determines that the disclosure of the individual's identity is necessary to prevent a substantial and specific danger to the public's health, safety, or welfare, or to prevent the imminent commission of a crime, or where the disclosure is unavoidable and absolutely necessary during the course of the audit, evaluation, or investigation.
- (c) The foregoing confidentiality and record exemption is applicable so long as the investigation is active, as that term is defined in Florida Statutes § 112.3188(2)(c)(1).
- (d) Pursuant to Florida Statutes § 112.3188(2)(b)-(c), all information received pursuant to § 50-20 by the city's designated appropriate local officials, or information produced or derived from fact-finding or investigations conducted pursuant to § 50-21, is confidential and exempt from public records disclosure. However, such information may be disclosed by the designated appropriate local official if it is determined that the disclosure of the information is absolutely necessary to prevent a substantial and specific danger to the

public's health, safety, or welfare or to prevent the imminent commission of a crime. Information disclosed under this subsection may be disclosed only to persons who are in a position to prevent the danger to the public's health, safety, or welfare, or to prevent the imminent commission of a crime based on the disclosed information.

- (e) Pursuant to Florida Statutes § 112.3188(2)(c)(4), any person who willfully and knowingly discloses information or records made confidential under subsection (a) above commits a misdemeanor of the first degree.

SECTION 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

SECTION 4. For purposes of codification of any existing section of the Madeira Beach City Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

SECTION 5. The Codifier shall codify the substantive amendments to the Madeira Beach City Code contained in Sections 1 and 2 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

SECTION 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2023.

John B. Hendricks, Mayor

ATTEST:

Clara VanBlargan,MMC, MSM, City Clerk

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

b. All or a portion of the matters under investigation or inquiry are active criminal intelligence information or active criminal investigative information as defined in s. [119.011](#).

2. Notwithstanding sub-subparagraph 1.a., an investigation ceases to be active when:

a. The written report required under s. [112.3189\(9\)](#) has been sent by the Chief Inspector General to the recipients named in s. [112.3189\(9\)](#);

b. It is determined that an investigation is not necessary under s. [112.3189\(5\)](#); or

c. A final decision has been rendered by the local government or by the Division of Administrative Hearings pursuant to s. [112.3187\(8\)\(b\)](#).

3. Notwithstanding paragraphs (a), (b), and this paragraph, information or records received or produced under this section which are otherwise confidential under law or exempt from disclosure under chapter 119 retain their confidentiality or exemption.

4. Any person who willfully and knowingly discloses information or records made confidential under this subsection commits a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

History.—s. 6, ch. 90-247; s. 1, ch. 91-150; s. 3, ch. 91-285; s. 2, ch. 93-57; s. 1, ch. 95-136; s. 2, ch. 95-153; s. 1, ch. 95-166; ss. 36, 37, ch. 96-406; s. 21, ch. 99-333.

¹**Note.**—As amended by s. 1, ch. 95-166, s. 2, ch. 95-153, and s. 36, ch. 96-406; this version of paragraph (2)(a) was also amended by s. 21, ch. 99-333. For a description of multiple acts in the same session affecting a statutory provision, see preface to the *Florida Statutes*, “Statutory Construction.” This section was also amended by s. 1, ch. 95-136, and s. 37, ch. 96-406, and that version reads:

112.3188 Confidentiality of information given to the Chief Inspector General and agency inspectors general.—

(1) The identity of any individual who discloses in good faith to the Chief Inspector General or an agency inspector general information that alleges that an employee or agent of an agency or independent contractor has violated or is suspected of having violated any federal, state, or local law, rule, or regulation, thereby creating and presenting a substantial and specific danger to the public’s health, safety, or welfare or has committed or is suspected of having committed an act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty is exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution and shall not be disclosed to anyone other than a member of the Chief Inspector General’s or agency inspector general’s staff without the written consent of the individual, unless the Chief Inspector General or agency inspector general determines that:

(a) The disclosure of the individual’s identity is necessary to prevent a substantial and specific danger to the public’s health, safety, or welfare or to prevent the imminent commission of a crime, provided that such information is disclosed only to persons who are in a position to prevent the danger to the public’s health, safety, or welfare or to prevent the imminent commission of a crime;

(b) The disclosure of the individual’s identity is unavoidable and absolutely necessary during the course of the inquiry or investigation; or

(c) The disclosure of the individual’s identity is authorized as a result of the individual consenting in writing to attach general comments signed by such individual to the final report required pursuant to s. 112.3189(6)(b).

(2)(a) Except as specifically authorized by s. 112.3189 and except as provided in subsection (1), all information received by the Chief Inspector General or an agency inspector general or information produced or derived from fact-finding or other investigations conducted by the Department of Legal Affairs, the Office of the Public Counsel, or the Department of Law Enforcement is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution for an initial period of not more than 30 days during which time a determination is made whether an investigation is required pursuant to s. 112.3189(5)(a) and, if an investigation is determined to be required, until the investigation is closed or ceases to be active. For the purposes of this subsection, an investigation is active while such investigation is being conducted with a reasonable good faith belief that it may lead to the filing of administrative, civil, or criminal charges. An investigation does not cease to be active so long as the Chief Inspector General or the agency inspector general is proceeding with reasonable dispatch and there is a good faith belief that action may be initiated by the Chief Inspector General or agency inspector general or other administrative or law enforcement agency. Except for active criminal intelligence or criminal investigative information as defined in s. 119.011, and except as otherwise provided in this section, all information obtained pursuant to this subsection shall become available to the public when the investigation is closed or ceases to be active. An investigation is closed or ceases to be active when the final report required pursuant to s. 112.3189(9) has been sent by the Chief Inspector General to the recipients specified in s. 112.3189(9) (c).

(b) Information deemed confidential under this subsection may be disclosed by the Chief Inspector General or agency inspector general receiving the information if the Chief Inspector General or agency inspector general determines that the disclosure of the information is absolutely necessary to prevent a substantial and specific danger to the public’s health, safety, or welfare or to prevent the imminent commission of a crime, and such information may be disclosed only to persons who are in a position to prevent the danger to the public’s health, safety, or welfare or to prevent the imminent commission of a crime based on the disclosed information.

(3) Information or records obtained under this section which are otherwise confidential under law or exempt from disclosure shall retain their confidentiality or exemption.

(4) Any person who willfully and knowingly discloses information or records made confidential under this section commits a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

Item 7B.

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2021 Florida Statutes (Including 2021B Session)

<p><u>Title X</u> PUBLIC OFFICERS, EMPLOYEES, AND RECORDS</p>	<p><u>Chapter 112</u> PUBLIC OFFICERS AND EMPLOYEES: GENERAL PROVISIONS</p> <p><u>Entire Chapter</u></p>	<p>SECTION 3187 Adverse action against employee for disclosing information of specified nature prohibited; employee remedy and relief.</p>
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112.3187 Adverse action against employee for disclosing information of specified nature prohibited; employee remedy and relief.—

(1) **SHORT TITLE.**—Sections [112.3187-112.31895](#) may be cited as the “Whistle-blower’s Act.”

(2) **LEGISLATIVE INTENT.**—It is the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency violations of law on the part of a public employer or independent contractor that create a substantial and specific danger to the public’s health, safety, or welfare. It is further the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or gross neglect of duty on the part of an agency, public officer, or employee.

(3) **DEFINITIONS.**—As used in this act, unless otherwise specified, the following words or terms shall have the meanings indicated:

(a) “Agency” means any state, regional, county, local, or municipal government entity, whether executive, judicial, or legislative; any official, officer, department, division, bureau, commission, authority, or political subdivision therein; or any public school, community college, or state university.

(b) “Employee” means a person who performs services for, and under the control and direction of, or contracts with, an agency or independent contractor for wages or other remuneration.

(c) “Adverse personnel action” means the discharge, suspension, transfer, or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee within the terms and conditions of employment by an agency or independent contractor.

(d) “Independent contractor” means a person, other than an agency, engaged in any business and who enters into a contract, including a provider agreement, with an agency.

(e) “Gross mismanagement” means a continuous pattern of managerial abuses, wrongful or arbitrary and capricious actions, or fraudulent or criminal conduct which may have a substantial adverse economic impact.

(4) **ACTIONS PROHIBITED.**—

(a) An agency or independent contractor shall not dismiss, discipline, or take any other adverse personnel action against an employee for disclosing information pursuant to the provisions of this section.

(b) An agency or independent contractor shall not take any adverse action that affects the rights or interests of a person in retaliation for the person’s disclosure of information under this section.

(c) The provisions of this subsection shall not be applicable when an employee or person discloses information known by the employee or person to be false.

(5) **NATURE OF INFORMATION DISCLOSED.**—The information disclosed under this section must include:

(a) Any violation or suspected violation of any federal, state, or local law, rule, or regulation committed by an employee or agent of an agency or independent contractor which creates and presents a substantial and specific danger to the public’s health, safety, or welfare.

(b) Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of an agency or independent contractor.

(6) TO WHOM INFORMATION DISCLOSED.—The information disclosed under this section must be disclosed to any agency or federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act, including, but not limited to, the Office of the Chief Inspector General, an agency inspector general or the employee designated as agency inspector general under s. [112.3189](#)(1) or inspectors general under s. [20.055](#), the Florida Commission on Human Relations, and the whistle-blower’s hotline created under s. [112.3189](#). However, for disclosures concerning a local governmental entity, including any regional, county, or municipal entity, special district, community college district, or school district or any political subdivision of any of the foregoing, the information must be disclosed to a chief executive officer as defined in s. [447.203](#)(9) or other appropriate local official.

(7) EMPLOYEES AND PERSONS PROTECTED.—This section protects employees and persons who disclose information on their own initiative in a written and signed complaint; who are requested to participate in an investigation, hearing, or other inquiry conducted by any agency or federal government entity; who refuse to participate in any adverse action prohibited by this section; or who initiate a complaint through the whistle-blower’s hotline or the hotline of the Medicaid Fraud Control Unit of the Department of Legal Affairs; or employees who file any written complaint to their supervisory officials or employees who submit a complaint to the Chief Inspector General in the Executive Office of the Governor, to the employee designated as agency inspector general under s. [112.3189](#)(1), or to the Florida Commission on Human Relations. The provisions of this section may not be used by a person while he or she is under the care, custody, or control of the state correctional system or, after release from the care, custody, or control of the state correctional system, with respect to circumstances that occurred during any period of incarceration. No remedy or other protection under ss. [112.3187-112.31895](#) applies to any person who has committed or intentionally participated in committing the violation or suspected violation for which protection under ss. [112.3187-112.31895](#) is being sought.

(8) REMEDIES.—

(a) Any employee of or applicant for employment with any state agency, as the term “state agency” is defined in s. [216.011](#), who is discharged, disciplined, or subjected to other adverse personnel action, or denied employment, because he or she engaged in an activity protected by this section may file a complaint, which complaint must be made in accordance with s. [112.31895](#). Upon receipt of notice from the Florida Commission on Human Relations of termination of the investigation, the complainant may elect to pursue the administrative remedy available under s. [112.31895](#) or bring a civil action within 180 days after receipt of the notice.

(b) Within 60 days after the action prohibited by this section, any local public employee protected by this section may file a complaint with the appropriate local governmental authority, if that authority has established by ordinance an administrative procedure for handling such complaints or has contracted with the Division of Administrative Hearings under s. [120.65](#) to conduct hearings under this section. The administrative procedure created by ordinance must provide for the complaint to be heard by a panel of impartial persons appointed by the appropriate local governmental authority. Upon hearing the complaint, the panel must make findings of fact and conclusions of law for a final decision by the local governmental authority. Within 180 days after entry of a final decision by the local governmental authority, the public employee who filed the complaint may bring a civil action in any court of competent jurisdiction. If the local governmental authority has not established an administrative procedure by ordinance or contract, a local public employee may, within 180 days after the action prohibited by this section, bring a civil action in a court of competent jurisdiction. For the purpose of this paragraph, the term “local governmental authority” includes any regional, county, or municipal entity, special district, community college district, or school district or any political subdivision of any of the foregoing.

(c) Any other person protected by this section may, after exhausting all available contractual or administrative remedies, bring a civil action in any court of competent jurisdiction within 180 days after the action prohibited by this section.

(9) RELIEF.—In any action brought under this section, the relief must include the following:

(a) Reinstatement of the employee to the same position held before the adverse action was commenced, or to an equivalent position or reasonable front pay as alternative relief.

(b) Reinstatement of the employee’s full fringe benefits and seniority rights, as appropriate.

(c) Compensation, if appropriate, for lost wages, benefits, or other lost remuneration caused by the adverse action.

(d) Payment of reasonable costs, including attorney's fees, to a substantially prevailing employee, or to the prevailing employer if the employee filed a frivolous action in bad faith.

(e) Issuance of an injunction, if appropriate, by a court of competent jurisdiction.

(f) Temporary reinstatement to the employee's former position or to an equivalent position, pending the final outcome on the complaint, if an employee complains of being discharged in retaliation for a protected disclosure and if a court of competent jurisdiction or the Florida Commission on Human Relations, as applicable under s. [112.31895](#), determines that the disclosure was not made in bad faith or for a wrongful purpose or occurred after an agency's initiation of a personnel action against the employee which includes documentation of the employee's violation of a disciplinary standard or performance deficiency. This paragraph does not apply to an employee of a municipality.

(10) DEFENSES.—It shall be an affirmative defense to any action brought pursuant to this section that the adverse action was predicated upon grounds other than, and would have been taken absent, the employee's or person's exercise of rights protected by this section.

(11) EXISTING RIGHTS.—Sections [112.3187](#)-[112.31895](#) do not diminish the rights, privileges, or remedies of an employee under any other law or rule or under any collective bargaining agreement or employment contract; however, the election of remedies in s. [447.401](#) also applies to whistle-blower actions.

History.—ss. 1, 2, 3, 4, 5, 6, 7, 8, ch. 86-233; s. 1, ch. 91-285; s. 12, ch. 92-316; s. 1, ch. 93-57; s. 702, ch. 95-147; s. 1, ch. 95-153; s. 15, ch. 96-410; s. 20, ch. 99-333; s. 2, ch. 2002-400.

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2021 Florida Statutes (Including 2021B Session)

<p><u>Title X</u> PUBLIC OFFICERS, EMPLOYEES, AND RECORDS</p>	<p><u>Chapter 112</u> PUBLIC OFFICERS AND EMPLOYEES: GENERAL PROVISIONS</p> <p><u>Entire Chapter</u></p>	<p>SECTION 31895 Investigative procedures in response to prohibited personnel actions.</p>
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112.31895 Investigative procedures in response to prohibited personnel actions.—

(1) COMPLAINT.—

(a) If a disclosure under s. [112.3187](#) includes or results in alleged retaliation by an employer, the employee or former employee of, or applicant for employment with, a state agency, as defined in s. [216.011](#), that is so affected may file a complaint alleging a prohibited personnel action, which complaint must be made by filing a written complaint with the Office of the Chief Inspector General in the Executive Office of the Governor or the Florida Commission on Human Relations, no later than 60 days after the prohibited personnel action.

(b) Within 5 working days after receiving a complaint under this section, the office or officer receiving the complaint shall acknowledge receipt of the complaint and provide copies of the complaint and any other preliminary information available concerning the disclosure of information under s. [112.3187](#) to each of the other parties named in paragraph (a), which parties shall each acknowledge receipt of such copies to the complainant.

(2) FACT FINDING.—The Florida Commission on Human Relations shall:

(a) Receive any allegation of a personnel action prohibited by s. [112.3187](#), including a proposed or potential action, and conduct informal fact finding regarding any allegation under this section, to the extent necessary to determine whether there are reasonable grounds to believe that a prohibited personnel action under s. [112.3187](#) has occurred, is occurring, or is to be taken.

(b) Within 180 days after receiving the complaint, provide the agency head and the complainant with a fact-finding report that may include recommendations to the parties or proposed resolution of the complaint. The fact-finding report shall be presumed admissible in any subsequent or related administrative or judicial review.

(3) CORRECTIVE ACTION AND TERMINATION OF INVESTIGATION.—

(a) The Florida Commission on Human Relations, in accordance with this act and for the sole purpose of this act, is empowered to:

1. Receive and investigate complaints from employees alleging retaliation by state agencies, as the term “state agency” is defined in s. [216.011](#).

2. Protect employees and applicants for employment with such agencies from prohibited personnel practices under s. [112.3187](#).

3. Petition for stays and petition for corrective actions, including, but not limited to, temporary reinstatement.

4. Recommend disciplinary proceedings pursuant to investigation and appropriate agency rules and procedures.

5. Coordinate with the Chief Inspector General in the Executive Office of the Governor and the Florida Commission on Human Relations to receive, review, and forward to appropriate agencies, legislative entities, or the Department of Law Enforcement disclosures of a violation of any law, rule, or regulation, or disclosures of gross mismanagement, malfeasance, misfeasance, nonfeasance, neglect of duty, or gross waste of public funds.

6. Review rules pertaining to personnel matters issued or proposed by the Department of Management Services, the Public Employees Relations Commission, and other agencies, and, if the Florida Commission on Human Relations finds that any rule or proposed rule, on its face or as implemented, requires the commission of a prohibited personnel practice, provide a written comment to the appropriate agency.

7. Investigate, request assistance from other governmental entities, and, if appropriate, bring actions concerning, allegations of retaliation by state agencies under subparagraph 1.

8. Administer oaths, examine witnesses, take statements, issue subpoenas, order the taking of depositions, order responses to written interrogatories, and make appropriate motions to limit discovery, pursuant to investigations under subparagraph 1.

9. Intervene or otherwise participate, as a matter of right, in any appeal or other proceeding arising under this section before the Public Employees Relations Commission or any other appropriate agency, except that the Florida Commission on Human Relations must comply with the rules of the commission or other agency and may not seek corrective action or intervene in an appeal or other proceeding without the consent of the person protected under ss. [112.3187-112.31895](#).

10. Conduct an investigation, in the absence of an allegation, to determine whether reasonable grounds exist to believe that a prohibited action or a pattern of prohibited action has occurred, is occurring, or is to be taken.

(b) Within 15 days after receiving a complaint that a person has been discharged from employment allegedly for disclosing protected information under s. [112.3187](#), the Florida Commission on Human Relations shall review the information and determine whether temporary reinstatement is appropriate under s. [112.3187\(9\)\(f\)](#). If the Florida Commission on Human Relations so determines, it shall apply for an expedited order from the appropriate agency or circuit court for the immediate reinstatement of the employee who has been discharged subsequent to the disclosure made under s. [112.3187](#), pending the issuance of the final order on the complaint.

(c) The Florida Commission on Human Relations shall notify a complainant of the status of the investigation and any action taken at such times as the commission considers appropriate.

(d) If the Florida Commission on Human Relations is unable to conciliate a complaint within 35 days after providing the agency head and complainant with the fact-finding report, the Florida Commission on Human Relations shall terminate the investigation. Upon termination of any investigation, the Florida Commission on Human Relations shall notify the complainant and the agency head of the termination of the investigation, providing a summary of relevant facts found during the investigation and the reasons for terminating the investigation. A written statement under this paragraph is presumed admissible as evidence in any judicial or administrative proceeding but is not admissible without the consent of the complainant.

(e)1. The Florida Commission on Human Relations may request an agency or circuit court to order a stay, on such terms as the court requires, of any personnel action for 45 days if the Florida Commission on Human Relations determines that reasonable grounds exist to believe that a prohibited personnel action has occurred, is occurring, or is to be taken. The Florida Commission on Human Relations may request that such stay be extended for appropriate periods of time.

2. If, in connection with any investigation, the Florida Commission on Human Relations determines that reasonable grounds exist to believe that a prohibited action has occurred, is occurring, or is to be taken which requires corrective action, the Florida Commission on Human Relations shall report the determination together with any findings or recommendations to the agency head and may report that determination and those findings and recommendations to the Governor and the Chief Financial Officer. The Florida Commission on Human Relations may include in the report recommendations for corrective action to be taken.

3. If, after 35 days, the agency does not implement the recommended action, the Florida Commission on Human Relations shall terminate the investigation and notify the complainant of the right to appeal under subsection (4), or may petition the agency for corrective action under this subsection.

4. If the Florida Commission on Human Relations finds, in consultation with the individual subject to the prohibited action, that the agency has implemented the corrective action, the commission shall file such finding with the agency head, together with any written comments that the individual provides, and terminate the investigation.

(f) If the Florida Commission on Human Relations finds that there are no reasonable grounds to believe that a prohibited personnel action has occurred, is occurring, or is to be taken, the commission shall terminate the investigation.

(g)1. If, in connection with any investigation under this section, it is determined that reasonable grounds exist to believe that a criminal violation has occurred which has not been previously reported, the Florida Commission on Human Relations shall report this determination to the Department of Law Enforcement and to the state attorney having jurisdiction over the matter.

2. If an alleged criminal violation has been reported, the Florida Commission on Human Relations shall confer with the Department of Law Enforcement and the state attorney before proceeding with the investigation of the prohibited personnel action and may defer the investigation pending completion of the criminal investigation and proceedings. The Florida Commission on Human Relations shall inform the complainant of the decision to defer the investigation and, if appropriate, of the confidentiality of the investigation.

(h) If, in connection with any investigation under this section, the Florida Commission on Human Relations determines that reasonable grounds exist to believe that a violation of a law, rule, or regulation has occurred, other than a criminal violation or a prohibited action under this section, the commission may report such violation to the head of the agency involved. Within 30 days after the agency receives the report, the agency head shall provide to the commission a certification that states that the head of the agency has personally reviewed the report and indicates what action has been or is to be taken and when the action will be completed.

(i) During any investigation under this section, disciplinary action may not be taken against any employee of a state agency, as the term “state agency” is defined in s. [216.011](#), for reporting an alleged prohibited personnel action that is under investigation, or for reporting any related activity, or against any employee for participating in an investigation without notifying the Florida Commission on Human Relations.

(j) The Florida Commission on Human Relations may also petition for an award of reasonable attorney’s fees and expenses from a state agency, as the term “state agency” is defined in s. [216.011](#), pursuant to s. [112.3187](#)(9).

(4) RIGHT TO APPEAL.—

(a) Not more than 21 days after receipt of a notice of termination of the investigation from the Florida Commission on Human Relations, the complainant may file, with the Public Employees Relations Commission, a complaint against the employer-agency regarding the alleged prohibited personnel action. The Public Employees Relations Commission shall have jurisdiction over such complaints under ss. [112.3187](#) and [447.503](#)(4) and (5).

(b) Judicial review of any final order of the commission shall be as provided in s. [120.68](#).

History.—s. 14, ch. 92-316; s. 4, ch. 93-57; s. 703, ch. 95-147; s. 22, ch. 99-333; s. 130, ch. 2003-261; s. 7, ch. 2020-153.

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MEMORANDUM

TO: Civil Service Commission

FROM: Clara VanBlargan, City Clerk/ Secretary Ex-Officio for the Civil Service Commission

DATE: July 26, 2023

RE: Madeira Beach Personnel Policy 2020

Background

Per City Charter, Section 5.7 Personnel Systems; Civil Service Commission, C. Personnel Rules, the Civil Service Commission is required to prepare personnel rules, provide them to the City Manager for review and concurrence, and then forward them to the Board of Commissioners to adopt with or without amendments.

In August 2020, at a joint meeting with the Board of Commissioners and Civil Service Commission, the Board of Commissioners asked Attorney Eschenfelder to draft a new personnel policy. The Civil Service Commission used this document, and changes were made. At the March 3, 2021 meeting, the Civil Service Commission was instructed by the then city manager, Robert Daniels, to no longer use the 2020 document and make tweaks to the City's current personnel policy adopted in 2019 instead because the 2020 document was too complex. They needed flexibility and not be locked in. Attorney Eschenfelder explained they were 60% through the process using the 2020 document and would have to tweak the current policy, which he did not recommend, and it was not what the Board of Commissioners voted on. The Civil Service Commission began using the 2019 personnel document.

At the July 11, 2023 Civil Service Commission meeting, the Commission voted 3-0 to discontinue the 2019 version and continue with the 2020 Eschenfelder version that was 60% completed. Chair Emblar said they needed to spend time updating the attorney's version with what they agreed to put in the policy so far to ensure it is there. She asked the City Clerk to send the 2020 version they had been working on within the next few days that is 60% completed. Attorney Eschenfelder said he would send the Word version to the City Clerk to send to them.

The City Clerk did not receive the 2020 document in Word version from Attorney Eschenfelder and was instructed to send a newer version provided in PDF format from Attorney Eschenfelder instead, which she did. Because the Civil Service Commission voted to use the Attorney's 2020 version, that document is provided in the agenda packet for the August 8, 2023 Civil Service Commission meeting. If Attorney Eschenfelder is wanting the Civil Service Commission to use a

newer version instead, it will need to be explained at the meeting for the record how the newer document is different from the 2020 version. The Civil Service Commission can vote to accept the newer version of the document or not to accept it.

Attachments:

Madeira Beach Personnel Policy 2020



MINUTES
CIVIL SERVICE COMMISSION MEETING
JANUARY 12, 2021
10:00 A.M.

A meeting of the City of Madeira Beach Civil Service Commission was held at 10:00 a.m. on January 12, 2021, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Linda Hein (via teleconference)
 Robert Preston
 Judithanne McLauchlan
 Gene Embler

MEMBERS ABSENT: Michael Cavallaro, Vice Chair

CITY STAFF PRESENT: Robert Daniels, City Manager
 Karen Paulson, Interim HR Director
 Clara VanBlargan, City Clerk
 Attorney Rob Eschenfelder, Trask Daigneault, L.L.P.

1. CALL TO ORDER

Robert Preston called the meeting to order at 10:08 a.m.

2. ROLL CALL

City Clerk Clara VanBlargan called the roll.

3. PUBLIC COMMENT

Robert Preston opened to public comment. There were no public comments received in person and electronically.

4. APPOINTMENT OF CHAIR

The City Clerk reported that Chair Grace Critelli resigned from the Civil Service Commission due to personal reasons and that a new Chair needed to be appointed.

Robert Preston motioned to appoint Vice Chair Michael Cavallaro to serve as Chair. Gene Embler seconded the motion. The City Clerk called the roll and the motion passed 4-0.

Robert Preston asked if there was a nomination for Vice Chair and there were none. He said they would vote on a Vice Chair at the next meeting.

5. APPROVAL OF MINUTES

- A. 2020-06-23, Civil Service Commission Meeting Minutes
- B. 2020-08-04, Joint BOC and Civil Service Commission Meeting Minutes

Linda Hein motioned to approve the Civil Service Commission meeting minutes for June 23, 2020 and August 4, 2020, as presented. Robert Preston seconded the motion. The City Clerk called the roll and the motion passed 4-0.

6. Rewrite of employee personnel manual and recommended changes for adoption – Robert Daniels, City Manager

Robert Preston suggested having two or three meetings to go through the draft personnel policy since it is a much larger document than the current policy. The Committee agreed.

The City Manager's Executive Assistant Megan Powers distributed a copy of the current personnel policy to the members for reference if needed.

City Clerk Clara VanBlargan distributed a copy of a section from the City Charter regarding Charter Officers and the Civil Service Commission. The City Manager read the duties and responsibilities of the Civil Service Commission as stated in the City Charter.

The City Manager explained how he wanted to go through the draft personnel, prepared by Attorney Rob Eschenfelder, and make necessary changes. He noted that after receiving the document from the attorney, he, City Clerk Clara VanBlargan, and his Executive Assistant Megan Powers read the document for accuracy because he is the one that hires and fires employees and disciplines them. They made some changes that he will go over with the Committee during the meeting.

At the request of Gene Embler, the City Manager explained his role in the hiring, firing, and discipling employees.

Robert Preston asked the City Manager and the City Clerk to explain any discrepancies between the City Charter and the draft personnel manual that might exist.

The City Clerk explained the following in the draft personnel policy:

- In paragraph g. 2 on p. XI-9, Discipline and Discharge (p. 94 of 146, agenda packet), it states that the Human Resources Director will serve as the Clerk for post-termination hearings at the Civil Service Commission. In accordance with the City Charter, Section 5.2, the City Clerk shall be the secretary ex-officio for the Civil Service Commission. She would like to know the difference.
- In paragraph 10 on p. I-2 (p. 15 of 145, agenda packet), it lists who the Charter Officers are and that they serve at the pleasure of the Board of Commissioners. The City Treasurer is not listed. According to the City Charter, Section 5.2, the City Treasurer, who also serves as the Director of Finance, is a Charter Officer and serves at the pleasure of the Board of Commissioners. She asked if a Charter Officer is also an agent of the City. The contract

with the consultant states that the person is an independent contractor and not an agent of the City. It seems that employee Charter Offices are agents of the City. Since the consultant is not a Charter Officer or agent of the City, she thought that might be the reason for not including the City Treasurer in the paragraph.

The City Manager said since it is a contractual arrangement, they do not have a City Treasurer right now. The contract ends on September 30th. If the Board of Commissioners would like to go back to having a full-time employee in place, they could appoint one in accordance with the City Charter. That will be addressed through the budget process.

Robert Preston said since he has been living in Madeira Beach, the City Manager, City Clerk, and the City Treasurer has always been full-time employees of the City. City Manager Robert Daniels served in a temporary position as an interim until hired as a full-time employee although the City Charter requires the City Manager to be hired by the Board of Commissioners under a written employment contract. There seems to be a conflict in the City Charter regarding the City Treasurer that needs to be addressed. It does not mention hiring a City Treasurer under a written employment contract or a consultant contract.

The City Manager said hiring a contracted consultant was recently addressed by the Board of Commissioners. He brought the consultant in and got approval by the Board of Commissioners to hire the consultant on a temporary basis to perform the duties of a City Treasurer and Finance Director until they appoint an employee to serve as the Charter Officer performing those duties. He had spoken to the City Attorney about it and was told it had to be on a temporary basis and that is why the contract ends on September 30th. There is probably not a conflict per se on how long they can go without having a City Treasurer. That is up to the Board of Commissioners. They knew that when going forward with the agreement they have.

Attorney Eschenfelder said any municipal or county government has the option, unless prohibited in the Charter, which in this case it is not, to exercise some function of the government through a private contractor versus an employee. The City is doing it now with respect to the treasury function and there is nothing in the Charter that says a treasurer must be an employee. The City Charter states that the City Attorney is hired on a contractual basis and that person is not an employee.

The City Manager discussed changes he made to the draft personnel document:

p. IV-1, Pay, Hours of Work and Workweek (p. 10, current policy) (p. 25 & 26 of 146, agenda packet)

- Paragraph 1, *workweek* - The City Manager received clarification from the attorney on why the seven-minute rule was omitted from the paragraph.
- Paragraph 1, *workweek* - The workweek starts at 12:00 a.m. on a Monday and not on Sunday, and it ends at midnight on the following Sunday and not on Friday. The normal working hours are Monday through Friday, 8:00 a.m., to 4:30 p.m. and not to 5:00 p.m.

Attorney Eschenfelder said it is up to the City Manager to schedule when and how long employees can work during a work week.

- Paragraph 4, *Flextime* – The City’s requirement is that if an employee chooses flextime, they must use the flextime during that pay period.
- Paragraph 5, *Work-at-Home Program* – Changed the last sentence in paragraph 5 that reads, “All hours worked at home must be reported” to read, “All hours worked at home must be reported and a summary of the work completed must be submitted to the City Manager.”

The attorney explained his reasons for wording the paragraph the way he did.

p. V-7, Pay for Performance

- The attorney explained the various type raises given to employees such as for cost of living and for market conditions. The pay for performance applies to an individual award to individual employees. Employees can be awarded individually but it must be done legally. Awards must be budgeted.

Gene Emblar asked if there was a mechanism in place that employees could recognize at the start of the year to motivate them to do certain things so they could be awarded for it.

The City Manager explained the current program in place that is being followed to award employees. He will keep the current program in place for right now but will consider the one in the draft document and discuss it during the budget process.

p. VI-2, B, Listing of Holidays (p. 44 of 146, agenda packet)

The City Manager said he was not changing the current schedule of employer-paid holidays and pointed out changes he made to the paid employee Holiday schedule in the draft document:

- President’s Day was removed because it is not an employer-paid holiday giving to employees.
- Christmas Eve and New Year’s Eve are employer-paid holidays. He added those back in.
- He agreed with adding the language, “Day before or after Christmas” and with the language in parentheses at the end, “determined annually by the City Manager” because if Christmas Eve or Christmas Day should fall on a weekend, he is able to choose an alternative day for employees to take off during the week with pay, such as on a Friday or a Monday.
- He asked that the language, “Day before or after New Year’s Day” be added to the list and with the language at the end in parenthesis, “determined annually by the City Manager,” because if New Year’s Eve or New Year’s Day should fall on a weekend, he could choose an alternative day for employees to take off during the week with pay, such as on a Friday or a Monday.
- HR Director Karen Paulson asked that “Personal Holiday” be changed back to “Floating Holidays” because employees are used to it being called that. Employees receive two floating holidays a year, which are approved in the budget adopted by ordinance.

p. VII-1, A, Vacation Leave (p. 45 of 146, agenda packet)

- The City Manager said they will continue following the current vacation leave policy. The maximum number of vacation leave hours will need to be inserted in paragraph 2 of the

draft document. The HR Director said the current schedule is on p. 14 of the current handbook. She said part-time employees do not get vacation time.

p. VII-2, A, Vacation Leave (p. 46 of 146, agenda packet)

- The City Manager said he will be keeping the current vacation buy-back pay provision. The HR Director explained the deadline for requesting buy-back hours at the end of year. If not paid out, after January 1st the employees will lose that time.

Robert Preston asked if the vacation hours are budgeted so buy-back pay is covered. The HR Director said they can't really budget for the payout because it is not known if someone will request it.

Mr. Preston said employees should use their vacation time because they are better employees when they come back from time off. He does not want employees thinking it is a cash bank they can cash into at the end of every year. Perhaps if the number of buy-back hours is reduced to 50% it could encourage employees to take their time off throughout the year instead of at the last moment. The options are something that should be considered as a recommendation to the Board of Commissioners.

Gene Emblar received confirmation that there are three options to employees: use it or lose it, which must be well thought out and communicated; cash out unused leave time at the end of the year; or put it in the sick leave bank. She asked about paragraph 7, on the same page, that says vacation leave in excess of 400 hours is transferred to the employee's sick leave account on an hour-for-hour basis.

The City Manager said he did not want to change the policy for employees that have worked for the City a long time. The discussion could be about paying out at 50% for new employees after the new policy gets adopted. If it were to be changed, language would have to be included reflecting that.

The HR Director said currently part-time employees do not get paid leave time. She would like for them to get something. The City Manager said currently there is not a payout opportunity for part-time employees to get any type of leave time if they should leave the City. That is a policy decision to be worked out. The attorney asked the City Manager and the HR Director to discuss it and to let him know what to include in the next draft.

p. VII-2, A, Vacation Leave, paragraph 9 (p. 47 of 146, agenda packet)

The HR Director asked if paragraph 9 on p. 47 of 146 (p. VII-3, draft document) would revert to the old policy regarding the unused vacation time. The City Manager said yes.

The City Manager read Section 1212 on p. 38 in the current policy regarding donation of sick or annual leave. He said it is good the City has a donation of leave time policy and it does not have a financial impact on the City. Employees can donate a certain amount of their earned sick leave time to another employee to use during an unexpected long-term, non-work-related catastrophic illness such as cancer and pregnancy. The donation is done hour-for-hour or dollar-for-dollar. The

pay scale is based on who the leave time is going to. Robert Preston said he was in favor of that. The HR Director explained the process for an employee to request donation of leave time.

The attorney suggested having an employee committee to decide who will receive donation of leave time and how many hours they would get. They would go through the requests for the leave time and determine who qualifies to receive it and how much time they would get if they do qualify. He asked the City Manager and HR Director to think about it and to let him know. The HR Director said she would rather follow the current policy and keep certain information confidential. The attorney said the committee would not be meeting in the Sunshine.

p. VII-7, Leaves of Absence, B. Sick Leave (p. 51 of 146, agenda packet)

The City Manager said he will keep the current policy regarding payment of unused sick leave upon separation from the City. There is not a lifetime maximum of sick leave hours for eligible employees. The accumulated balance of sick leave is paid out at 25%.

The HR Director said the union employees get paid out at 50%.

p. VII-10, Leaves of Absence, D. Bereavement Leave (p. 51 of 146, agenda packet)

The HR Director said bereavement leave for employees is three days for in state and five days for out of state. The current policy will stay in place for all employees. It is the same for union employees.

p. XIX-1, Safety (p. 110 of 146, agenda packet) (p. 22, Section 801, current policy)

The City Manager reviewed the current policy on safety. The attorney explained his reasons for language in the draft document.

The City Manager said in some places of the draft document it mentions county and not city. He asked the attorney to make the changes.

p. XXIV, Uniforms, 2., Uniform Maintenance Allowance; 3. Uniform Rental Service (p. 133 of 146, agenda packet)

The City Manager said uniform maintenance allowance and uniform rental service is not mentioned in the current policy.

Gene Embler ask that they continue the discussion at the next meeting. She suggested each member to put their ideas in writing and send them to the City Manager to be discussed at the next meeting. She would be better prepared to weigh in on what the other members would like to discuss.

The City Manager said he could send out a new draft with all the changes already made for the next meeting.

Gene Embler said she would rather not get another draft document until all the changes have been made. Several drafts could cause confusion. She could rely on all her notes until a draft is made with all the changes.

The Committee was asked to submit their comments and questions within the next two weeks to the City Manager’s Executive Assistant to filter through. The ones agreed on by the City Manager is submitted to the attorney to include in the next draft and the ones that do not agree can be discussed at the next meeting.

Robert Preston recalled when the former city manager hired a consultant to do a salary survey and determine the classification and pay plan for employees. That was recently done. When doing that again, he does not think it is the job of the Civil Service Commission to determine the classifications and what employees should be paid.

The City Clerk said the requirement in the City Charter is to include the information in the personnel policy. That information is based on the salary survey. The City Manager said the City Charter requires the information to be included in the rules.

The City Manager suggested having a final version to the Board of Commissioners at the March workshop meeting. There will be a new Commissioner serving in March and he can be apart of the discussion.

The attorney briefly discussed the Sunshine Law to the Civil Service Commission regarding communicating to other members. Discussions among members must be done in the Sunshine.

The next meeting was scheduled for Monday, February 15, 2021 at 2:00 p.m.

7. ADJOURNMENT

Linda Hein motioned to adjourn the meeting at 12: 31 p.m.

ATTEST:


Robert Preston, Chair
Gene Embler


Clara VanBlargan, City Clerk/Secretary Ex-Officio

City of Madeira Beach

Agenda

Civil Service Commission

Tuesday, January 12, 2021 @ 10:00 AM

Commission Chambers



The Civil Service Commission of the City of Madeira Beach, Florida will meet in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

Page

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC COMMENT**

Public participation is encouraged. If you are addressing the Civil Service Commission, step to the podium and state your name and address for the record. Please limit your comments to three (3) minutes and do not include any topic that is on the agenda. Public comment on agenda items will be allowed when they come up.

Public comments can also be submitted by email through the Public Comment form located on the front page of the City of Madeira Beach website at <https://madeirabeachfl.gov/>. Comments are accepted up to three hours prior to start of the meeting, and will be read aloud during the meeting. Please limit your comments to 400 words as the comments are limited to three minutes.

4. **APPROVAL OF MINUTES**

- A. [2020-6-24, Civil Service Commission Meeting](#)
[2020-8-4, Joint BOC and Civil Service Commission](#)

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5. **TOPICS FOR DISCUSSION**

- A. **Rewrite of employee personnel manual & recommended changes for adoption - (Revisions to draft personnel manual to be made at the meeting by Civil Service Commission and City Manager) - Robert Daniels, City Manager**
[Madeira Beach Personnel Policy 2020](#)
[Madeira Beach Whistleblower Ordinance](#)

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6. **NEXT MEETING**

7. **ADJOURNMENT**

One or more Elected or Appointed Officials may be in attendance.

Any person who decides to appeal any decision of the Civil Service Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes 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 to be based. The law does not require the Clerk of the Civil Service Commission to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call the City Clerk

at 727-391-9951, ext. 231 or fax a written request to 727-399-1131



MINUTES
CIVIL SERVICE COMMISSION MEETING
JUNE 23, 2020
11:05 A.M.

A meeting of the City of Madeira Civil Service Commission was held at 11:05 a.m. on June 23, 2020, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Grace Critelli
Michael Cavallaro
Linda Hein
Robert Preston

MEMBERS ABSENT: Paul Tilka (excused)

CITY STAFF PRESENT: Clara VanBlargan, City Clerk
Patty Kordis, Deputy Clerk

1. CALL TO ORDER

City Clerk Clara VanBlargan called the meeting to order at 11:05 a.m.

2. ROLL CALL

Deputy Clerk Patty Kordis called the roll.

3. ITEMS FOR DISCUSSION

A. Oath of Office presented to new member, Robert Preston

Deputy Clerk Patty Kordis administered the Oath of Office to newly appointed member Robert Preston.

B. Appointment of Chairperson and Vice-Chairperson

Linda Hein nominated Grace Critelli for Chairperson and Michael Cavallaro for Vice Chairperson.

The Board consented.

C. Personnel, Benefits, and Compensation

This item was not discussed at the meeting. The City Manager and the HR Coordinator were not present at the meeting.

4. NEXT MEETING

The Civil Service Commission scheduled its next two meetings for 10:00 a.m. on August 4, 2020 and 10:00 a.m. on November 3, 2020.

5. ADJOURNMENT

Chair Grace Critelli adjourned the meeting at 11:35 a.m.

ATTEST:

Grace Critelli, Chair

Clara VanBlargan, MMC, MSM, City Clerk



MINUTES

**BOARD OF COMMISSIONERS
JOINT MEETING WITH
CIVIL SERVICE COMMISSION
AUGUST 4, 2020
10:00 A.M.**

A joint meeting of the City of Madeira Beach Board of Commissioners and Civil Service Commission was held at 10:00 a.m. on August 4, 2020 in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

BOARD OF COMMISSIONERS PRESENT:

- John B. Hendricks, Mayor
- Doug Andrews, Vice Mayor/Commissioner District 3
- Helen “Happy” Price, Commissioner District 1
- Nancy Hodges, Commissioner District 2

BOARD OF COMMISSIONERS ABSENT:

- John Douthirt, Commissioner District 4

CIVIL SERVICE COMMISSION MEMBERS PRESENT:

- Grace Critelli, Chair
- Robert Preston
- Paul Tilka
- Mike Cavallaro, Vice Chair

CIVIL SERVICE COMMISSION MEMBERS ABSENT:

- Linda Hein

CITY STAFF PRESENT:

- Robert Daniels, City Manager
- Clara VanBlargan, City Clerk
- Patty Kordis, Deputy Clerk
- Attorney Robert Eschenfelder, from Trask Daigneault, LLP

1. CALL TO ORDER

Mayor Hendricks called the meeting to order at 10:00 a.m.

2. ROLL CALL

Deputy Clerk Patty Kordis called the roll.

3. PUBLIC COMMENT

4. TOPICS OF DISCUSSION (Listed on Agenda)

A. City of Madeira Beach Personnel Policies and Procedures

Agenda Items of Concern

Time Clocks

Firings/Forced Resignations

Civil Service Hearings

Pre-termination Hearings

Unforced Resignations

Suspensions; Suspensions with Pay Discipline

Sexual Harassment Charges

The Board of Commissioners discussed the time clock issue. Karen Paulson, HR Coordinator explained that \$26,000 is budgeted for FY 2020 to purchase a new time clock system. She explained the problems with the current system and the need to go with a different vendor. Three proposals have been received from very good vendors. A plan will be put together for each one for the Board of Commissioners to choose one of the vendors.

Overtime for salaried employees was discussed. The City Manager said he was not in favor of paying overtime to salaried employees and recommended that the overtime provision for that to be removed from the personnel policy handbook. The City Clerk mentioned that there are times when it is necessary for her to work many overtime hours and the need to take flextime during that week so she could rest. The Labor Attorney explained the difference between comp time and flextime. The Board of Commissioners were in favor of allowing salaried employees to take flextime when needed.

Civil Service Commission member Robert Preston commented in favor of allowing flextime for salaried employees and comp time for non-salaried employees.

Mayor Hendricks opened to public comment.

Pete Kapusta, resident, recalled a time when a City of Madeira Beach employee was allowed to work from home for a few months. A timecard was not used to track the time, but the City paid her for a full week regardless.

The Commission mentioned areas of the personnel handbook that needed to be changed and said they could review those and other needed changes while reviewing the handbook. Civil Service Commission Chair Grace Critelli explained they spent many months working through the personnel handbook with very little assistance from City staff. When completed, the City Manager employed at that time, did not make comment back to them on it. The Mayor said the personnel handbook presented to the Board for approval had been changed by that City Manager without the knowledge of the Civil Service Commission or the Board of Commissioners. The entire discipline

section was removed and had to put back in. The Board sent the document back to the Civil Service Commission to work on it again before bringing it back for Board approval.

The Labor Attorney recommended allowing him to work with the City Manager to produce a better personnel policy for the Civil Service Commission to consider. The Mayor suggested that each member of the Board and the Civil Service Commission to send their changes to the City Clerk to forward to the Labor Attorney, and for Commissioner Price to be the liaison and work with the Labor Attorney to come up with a workable document. Both the Board of Commissioners and Civil Service Commission consented to do that.

Commissioner Price commented that they needed a professional certified HR person working for the City, one that does not also work for Finance. Ms. Paulson said he was a certified HR person and explained she had mentioned to the City Manager that it was difficult to manage HR and work for Finance.

There was a discussion on whether the employment with the City is at-will. The Labor Attorney explained that Florida is an at-will state, but each state is allowed to adopt its own employment rules. Everyone that works for the City Manager is at-will, including the City Manager, Finance Director, and the City Attorney since they worked under a contract. He will address that in the personnel handbook along with other things that are not currently mentioned in the handbook. A whistle blowing protection provision will also be added to the handbook.

Following the discussion about the personnel handbook, the City Manager said he had made the decision not to include pay increases in the 2021 budget because of all the overtime paid out during COVID-19. Commissioner Price stressed disappointment in the City Manager for doing that. That is a decision to be made by the Commission. She stressed concern that the City Manager had recommended against increasing the millage rate when there was a need for the increase.

6. Adjournment

Mayor Hendricks was adjourned at 11:44 a.m.

John B. Hendricks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

MADEIRA BEACH BOARD OF COMMISSIONERS

PERSONNEL POLICY, RULES, AND PROCEDURES MANUAL



APPROVED IN OPEN SESSION SEPTEMBER __, 2020
EFFECTIVE _____, 2020

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GENERAL POLICY STATEMENT

Excellence in government public service is attained, in part, through personnel systems that reflect merit principles and sound administrative management. It is the intent of Madeira Beach's Board of Commissioners that its Personnel Policies, Rules and Procedures Manual provide firm and clear direction to its employees. To this end, every reasonable effort is made to protect the personal rights and privileges of individual employees.

Furthermore, it is the intent of the Board of Commissioners that no unlawful discrimination exist in the application and administration of any Madeira Beach Board of Commissioners' policy, practice, rule or regulation.

The City Manager, through the City department directors, in coordination with the Human Resources staff, is charged with ensuring that the provisions of this Policy are implemented and made known to the employees of Madeira Beach Government.

Executive contract employees hired by the Board of Commissioners shall have the same authority and responsibility as the City Manager, where cited, in matters pertaining to this Policy, unless specifically excluded by Contract or Resolution.

These Personnel Policies are not and shall not be considered an employment contract with any person. Nothing herein is intended to create an employment contract between the City and any person for the purposes of employment, promotions, or for the providing of any benefit.

The provisions contained within this Manual are and shall be considered as part of the terms and conditions of employment of all regular employees with Madeira Beach and should thus be adhered to by all regular City employees. Madeira Beach reserves the right to establish, modify, or make exceptions to these rules when necessary. Any question concerning the interpretation or application of these rules shall be referred to the Human Resources staff for resolution.

Madeira Beach may, from time to time, designate certain positions, such as part time, temporary, initial probationary, managers or directors, as serving at the will of the City Manager and exempt from "regular employee" status. In such cases, the provisions within this Manual regarding regular employees, including just cause and disciplinary appeals, are inapplicable.

Madeira Beach endeavors to include a comprehensive overview of the rules and policies governing employment with Madeira Beach within this Personnel Policy Manual. However, there may from time to time be additional personnel rules or policies issued by the Board of Commissioners. The City Manager or a particular department head may also issue additional rules so long as such additional rules do not conflict with the provisions in this Manual. All such additional rules shall also constitute a part of the terms of employment. Violation of any provision of any such additional rules will subject an employee to discipline.

If a direct conflict exists between policies and procedures included in these rules and a current labor agreement to which the City is a party, the terms and conditions of the labor agreement shall take precedence for employees in classifications represented by a bargaining agent, whether the rights and benefits are greater or less than those provided in these rules.

Equal Employment Opportunity

It is the continuing policy of the Board of Commissioners of Madeira Beach, Florida, to promote the concepts of equal employment opportunity in its employment function and to comply with all federal, state and local laws, rules and regulations pertaining to fair employment practices.

1. All employees and applicants for employment will be treated fairly with respect to all terms and conditions of employment regardless of race, color, religion, national origin, ancestry, gender, age, marital status, or physical or mental disability which does not preclude the performance of the essential functions of the job with or without reasonable accommodation(s).
2. All personnel opportunities and decisions related to employment, promotions, transfers, reclassifications, compensation, benefits, performance ratings, training courses and programs, layoffs, returns from layoff, terminations, and all other aspects of employment with Madeira Beach will be in accordance with the principles of the merit system, which afford equal opportunity by imposing only valid requirements.
3. The Board of Commissioners reaffirms its commitment to equal employment opportunity through a formal Affirmative Action Program.
4. Employees who allege that they have been unlawfully discriminated against or treated unfairly in the application or employment process must follow the steps outlined in the policy on Illegal Harassment or Discrimination, as described in Section XIII of this Policy. Non-employee applicants and applicants for temporary employment alleging unlawful discrimination must complain in writing to the Human Resources Staff, who will conduct an investigation in accordance with the applicable portions of this Policy.

I. EMPLOYMENT

Section: I-A

A. Non-Temporary (Regular) Employment

I. EMPLOYMENT**A. Non-Temporary (Regular) Employment**

1. In the interest of hiring "best qualified and available" people to meet City employment requirements, and to avoid favoritism in hiring practices, the Human Resources Department is responsible for ensuring that all interested applicants have an equal opportunity to apply for City employment.
2. Notices of open positions will be published interdepartmentally and/or publicly according to the department's request and concurrence of the Human Resources Department. Notwithstanding the foregoing, where a department director or other official with hiring authority determines that a particular candidate is fully qualified for a position (for instance where an intern or employee in acting status has been working successfully in the position for some time), the Human Resources Staff may authorize that candidate to be offered the position without the need to post the position. However, to prevent undue favoritism or nepotism and ensure a diverse, well qualified work force, this exception should not be regularly used in place of posting opportunities and allowing candidates to apply.
3. Applicants for City employment apply to the Human Resources Department in the form and manner, including electronic application submission, as the Department designates. Applicants who make initial contact with an individual City department and/or applications/resumes received by other City departments shall immediately be directed to the Human Resources Department. The Human Resources Staff or designee may grant exceptions for certain special programs.
4. Applications are accepted for announced openings during the published advertising period.
5. Once a position has been filled, the position is closed. Should one or more of the same position come open again within ninety days after first being filled, a department may make an offer to the next most qualified candidate from among the original applications. Alternatively, or if the vacancy arises more than sixty days later, the position will, absent an exception approved by the Human Resources Staff, be re-advertised and new applications sought.
6. Employees chosen for interview for other City jobs will be allowed to interview during work hours if necessary. Departments shall work with the employee to make reasonable adjustments to the employee's schedule to permit the interview. If the interview takes place during the employee's scheduled work hours, the time will not be paid, and employees should use available vacation leave for such purposes. All other interviews are unpaid.
7. The Human Resources Staff may establish eligibility registers for positions as required by turnover frequency or other recruitment issues. Positions that are identified by departments or the Human Resources Department as being vacant on a regular basis or having certain recruitment needs, may have an eligibility register of qualified applicants established. The Human Resources Staff is responsible for establishing the registers in accordance with the City's policy of non-discrimination.

I. EMPLOYMENT

Section: I-A

A. Non-Temporary (Regular) Employment

8. No employee may begin activities associated with working for the City, including engaging in post-offer screening activities, until the candidate signs, electronically or otherwise, a conditional offer of employment. No term or condition of employment, including matters of pay, bonuses, expense reimbursement, or other similar matters, shall be effective unless included within a conditional offer of employment.
9. The City Manager and Human Resources Staff are authorized to adopt such forms and procedures as are deemed necessary to effectively implement these employment policies and to conduct such pre-employment screening as may be either legally or administratively required, including background and reference checks and physical or psychological examinations related to job functions. For any position requiring a pre-employment, post-offer examination, it shall be job-related, and given uniformly to all candidates conditionally offered the position. Candidates must meet/satisfy any established screening requirements and any candidate who fails to do so may be denied employment. In addition to the foregoing, for any City position requiring interaction with law enforcement personnel, records or other matters, access to secure facilities, or otherwise required to pass background standards promulgated by a regulating agency with jurisdiction over such records, personnel or facilities, employees holding such positions must be able to pass the relevant standards and their inability to do so will disqualify them from continued employment.
10. For purposes of this Policy, the term “at-will” or “serving at-will” shall mean that employees holding positions designated by the Board of Commissioners as such serve at the will and pleasure of the City Manager, and includes, but is not limited to, all deputy or assistant city managers, directors, deputy or assistant directors, division managers, division chiefs, section managers, or trusted aides or assistants, regardless of specific position title, which positions exist or may in the future be created. All employees directly reporting to the City Manager shall be deemed as “director” for purposes of this Policy notwithstanding their actual title. All employees directly reporting to a director shall be deemed as “division manager” notwithstanding their actual title. A trusted aide is any employee working as an administrative assistant to the City Manager or to one or more members of the Board of Commissioners. Absent City Charter or contract terms to the contrary, the City Manager, City Clerk and City Attorney serve at the will and pleasure of the Board of Commissioners subject only to the terms of any employment contract to the contrary.
11. All volunteers are not City employees for any purpose. However, pursuant to Florida Statutes § 440.02 provides eligibility for certain worker compensation benefits for municipal volunteers. Therefore, City volunteers must comply with all related City accident or injury reporting procedures.
12. Employment of persons under 18 years of age in either regular or temporary positions shall be subject to and in accordance with applicable child labor laws.
13. To ensure compliance with the Affordable Care Act, when an employee formerly eligible for health benefits leaves the City’s employ for any reason, he/she shall be ineligible for re-hire until the former employee has been separated from the City for a minimum of thirteen (13) weeks.

I. EMPLOYMENT

Section: I-B

B. Temporary Employment**B. Temporary Employment**

1. Temporary employment, for purposes of this Policy, shall include:
 - a. OPS regular (Other Personal Services) positions (including non-student interns) which cannot extend beyond six (6) consecutive calendar months.
 - b. OPS on-call positions where employees are called unexpectedly, on an as-needed basis, to complete a specific task or assignment.
 - c. OPS Seasonal positions where employees work a seasonal assignment (such as summer camp or pool guard).
 - d. OPS Intern positions follow guidelines provided in Section I.B.3. of this Policy.
 - e. Other temporary employment programs, not specifically defined herein, shall be considered at the option of the Human Resources Staff in compliance with any federal, State or local laws, rules or regulations governing such programs.
2. Unless waived by the Human Resources Staff, employment procedures described in Section I.A of this policy shall apply to employees hired in temporary positions with the exception of temporary employees defined in Section I.B.1.d.e. of this Policy.
3. Interns
 - a. The City provides internship opportunities for students to experience work in City government that is relevant to their educational goals and objectives or personal career interests, and to non-students seeking to experience working in a City position.
 - b. Recruitment of interns shall be conducted through the City's regular recruiting procedures, outlined in this section, unless otherwise approved by the Human Resources Staff.
 - c. Interns shall not be recruited to fill regularly authorized position vacancies or displace regular employees. Interns are considered temporary employees and are not eligible for benefits provided regular employees. Intern appointments shall not exceed 12 months.
 - d. In order for a student to be eligible for employment as an intern, an individual must be a student in good standing, enrolled in or on school-approved break from an accredited secondary or post-secondary school, junior college, college or university, or a vocational-technical school.
 - e. Student Interns are required to notify the employing department of any change in their academic or disciplinary standing at the institution.
 - f. Interns will be paid at the minimum pay rate of assigned pay grades. A departure from the minimum pay rate may be approved by the Human Resources Staff upon request and proper justification from the relevant director.
 - g. Persons who may be students but who wish to volunteer with the City outside of any

I. EMPLOYMENT

Section: I-B

B. Temporary Employment

academic program must complete a Volunteer Service Agreement to be developed by Human Resources with assistance from the City Attorney as needed.

- h. Students who are present in the workplace and who are not performing any services for the City, nor participating in any related academic program, are considered to be “job shadowing” and are not considered to be volunteers, or employees, of the City. Any persons who are “job shadowing” must be approved by the relevant department director in advance, must not perform any work for the City, and must be under the supervision of an employee-mentor.
 - i. Students who are present in the workplace and who may perform work for the City but who are not compensated shall meet the requirements of the federal Department of Labor concerning the acceptance of work by student interns. Interns who are not students must be compensated at least the prevailing minimum wage for work performed for the City.
 - j. The Human Resources Department is responsible for the development, coordination and promotion of intern recruitment activities and is responsible for ensuring that all interested persons have an equal opportunity to apply and be considered for internship opportunities.
 - k. Notwithstanding the foregoing, Madeira Beach may, from time to time, enter into agreements with educational institutions whereby student interns will be identified, assigned and compensated pursuant to the terms of such agreements. In such cases, Human Resources shall assist hiring departments as needed to implement the terms of the agreements, even where same may vary from the provisions of this Policy.
4. Employment of temporary personnel shall be subject to the equal employment opportunity provisions of this Policy.
 5. To ensure compliance with the federal Affordable Care Act, except for Seasonal OPS staff, all persons employed in temporary/OPS positions who are not offered health care coverage shall not be scheduled or permitted to work more than 27 hours per week.
 6. Unless otherwise required by law, individuals performing work for the City through temporary employment agencies shall not be considered “employees” for purposes of this Policy.

I. EMPLOYMENT

Section: I-C

C. *Joint Employment*

C. *Joint Employment*

The intent of this policy is to allow employees to be employed in more than one position, and at possibly more than one pay rate, at the same time within the City payroll structure. The following criteria must be met for eligibility:

1. Only temporary OPS, part-time positions, which are considered to be occasional or sporadic (in accordance with 29 C.F.R., Section 553.30), will be eligible.
2. The employee's decision to work in a different capacity must be made freely and without coercion, implicit or explicit, by the employer.
3. The joint position must be in a different capacity, i. e., it must not fall within the same general occupational category as the employee's primary government employment.

Administrative procedures for implementation and tracking of this program will be published separately.

I. EMPLOYMENT

Section: I-D

D. Employment of Relatives (Nepotism)**D. Employment of Relatives (Nepotism)**

1. Employment shall be in compliance with Florida Statutes § 112.3135 regarding “*Restriction on employment of relatives.*” Pursuant to this section, a public official may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in which the official is serving or over which the official exercises jurisdiction or control any relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a position if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over a City department or office, who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by a City board of which a relative of the individual is a member.
2. Relative, for purposes of this Section only, shall include father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister; but shall not include any other relatives who become related by law or marriage not specifically listed above.
3. For purposes of this Section only, public official, hereinafter referred to as "official," shall include, but not be limited to, Commissioners, the City Manager, assistant City Manager, City Clerk, department directors, assistant directors, managers, supervisory employees and any other City employee authorized to make employment-related recommendations or decisions, whether the official is elected, contracted, appointed, or hired.
4. It is the City's policy to prohibit an official from having direct supervision over any employee who is a relative of the official, as more fully set forth in Paragraph 1. It is also the City's policy to prohibit an official from having direct supervision over any employee to whom the official is engaged or is otherwise involved in a current romantic relationship.
5. Direct supervision shall include any situation in which the official would be in a position to make decisions concerning the terms and conditions of the person's employment with the City including decisions about hiring, promotion, transfer, reclassification, compensation, benefits, work assignments, performance evaluations, training courses and programs, layoffs, return from layoff, termination, and all other tangible aspects of employment.

I. EMPLOYMENT

Section: I-E

*E. Re-Employment and Disqualification****E. Re-Employment and Disqualification***

1. An employee who has been terminated from City employment for violation of any conduct or performance rule set forth in this Policy, or who resigns after being notified of the City's intent to conduct a pre-termination meeting but prior to a final disciplinary decision, is ineligible for re-employment for three years from the date of such resignation or termination.
2. An employee terminated due to a positive drug/alcohol test, a refusal to test, or other violations of the drug-free workplace policy; or who voluntarily resigns within two weeks of a positive result in a test for drug use; or when an employee serves notice of resignation immediately upon notification of being selected for such test, is ineligible for re-employment for a period of three years after such resignation. Additionally, a former employee who owes the City money for drug testing or treatment which was the responsibility of the employee to pay shall be ineligible for re-employment until all funds owed are paid.
3. An employee who voluntarily resigns without giving the required two-week notice (see Section IX.A.4) or is separated from employment for absence without leave (see Section VIII) is ineligible for re-employment for a period of one year. In circumstances where the hiring department director certifies, to the Human Resources Staff's satisfaction, that a non-eligible former employee will meet a critical need of the City, the Human Resources Staff has the authority to waive this waiting period.
4. Employees who separate from City service due to failure to complete probation period where no discipline violation occurred, layoff, end of a temporary position, or whose employment is terminated because work is no longer available, are eligible for re-employment with no waiting period.
5. Notwithstanding the foregoing provisions, an employee may become ineligible for a longer period, or permanently ineligible for re-employment, as the result of independent action such as the settlement of a legal claim or an arbitration decision. Additionally, the City Manager shall have the authority, in exceptional circumstances and where the best interests of the City will be served, to waive or reduce the periods of ineligibility stated in paragraphs 1 and 2 above.
6. NOTE: The disqualification periods contained herein are distinct from the ability of a department to recommend or not recommend an employee for re-hire. Such recommendations are simply the opinion of the former employee's management. Though such recommendations may be taken into account should a former employee apply for re-employment, they do not create a bar against such applicant from being considered for re-hire so long as the applicant is not under a disqualification period, and is otherwise qualified to perform the job duties.

II. PERSONNEL FILES

Section: II-B

*B. Access to and Retention of Official Personnel Files***II. PERSONNEL FILES***A. File Location and Content*

1. The City's official records of present and past employees' personnel files are maintained by the Human Resources Department. The Human Resources Staff is the custodian of these records and may delegate maintenance and control responsibilities to staff members.
2. The Human Resources Department shall develop, revise and authorize all forms related to personnel matters. Therefore, absent specific authorization from the Human Resources Staff to the contrary, departments may not promulgate or make use of any customized or unauthorized personnel forms, including leave requests, time records or employee evaluations. Department directors may, however, compile informational files on their employees. These files may duplicate information in the "official" personnel files. The department director is the custodian of personnel files maintained in his/her area of responsibility.
3. Public Records requests for personnel files made to the City must be transferred to the Human Resources Department for response. The Human Resources Staff, or designee, shall be responsible for reviewing files to ascertain any information which has been designated as confidential or exempt from public records disclosure, and in conjunction with the City Attorney's Office, asserting applicable public records exemptions for such records.

NOTE: Employees holding certain positions are entitled under Florida law to request that certain personally-identifying information such as home addresses, not be released by other governmental agencies which may be in possession of this information. It is the responsibility of each employee holding such a position to make these requests to other governmental agencies.

4. The official personnel record, which will be maintained by the Human Resources Department, shall contain at least the following documents regarding the employee:
 - a. The employee's initial and any subsequent employment/transfer/promotion applications; I-9 form; interview forms; oath of employment; employment contract (if applicable); acknowledgments of receipt of benefits (to include secondary employment approval forms); conditional offer forms; retirement enrollment forms (when applicable); approved hire action forms authorizing employment; and other related documents required by law or City policy to be included.
 - b. The employee's performance evaluation forms and written responses thereto;
 - c. All official personnel actions, such as promotions, transfers, and pay increases;
 - d. Official disciplinary notices and warning or counseling forms issued to the employee;
 - e. Signature forms demonstrating an employee's receipt of City policies;
 - f. Records demonstrating attendance at City training sessions.
 - g. Any separation surveys provided by a departing employee.

II. PERSONNEL FILES

Section: II-B

B. Access to and Retention of Official Personnel Files

5. The personnel record may also contain the following items, at the discretion of the Human Resources Staff:
 - a. Correspondence from citizens, co-workers, etc., concerning the employee's performance of his or her job or contribution to the community (excepting documents which are found to be fraudulent, false, or which are required by law to be separately maintained);
 - b. Records regarding an employee's education or professional credentials;
 - c. Such other records as the Human Resources Staff may deem appropriate for inclusion or which are not prohibited from inclusion by law.
6. The Human Resources Department will also keep and maintain separate and secured files of current and former employees which contain medical records or medical claim records exempt under Florida Statutes § 112.08, the results of drug tests (excepting discipline notices confirming a positive result was received), medical documents provided in support of sick leave requests (including those covered under the FMLA), reports of a healthcare provider discussing specific health conditions or status associated with a fitness-for-duty exam, medical records provided in support of a request for accommodation of a disability under the ADA, medical records received in the course of administering a worker compensation claim.
7. Notwithstanding the foregoing, the City Manager and all department directors are entitled to review medical records of applicants and current employees when these officials have the business need to do so. Such instances include reviewing an employee's defense against a disciplinary action where the employee cites a medical reason for the conduct or performance, reviewing requests for sick leave including decisions as to whether an absence is covered by the FMLA, reviewing requests for accommodation under the ADA or determining whether the applicant or employee presents a danger to him/herself or others due to a medical condition. The City Attorney or other attorneys representing the City in any employment claim or suit are also authorized to examine such records to the extent the claim or suit places the medical condition of the applicant or employee at issue.
8. In the event a City official examines records which includes information which is otherwise confidential or exempt from public disclosure under law, such official must exercise care and discretion so as not to further communicate any such information to subordinates or an employee's co-workers unless there is a valid legal reason to do so. City officials in doubt as to their duties in such circumstances are encouraged to seek advice from the City Attorney.
9. The City Manager is responsible for ensuring that human resources records are controlled, maintained, disposed of, and that requests for copies are processed, in accordance with the Public Records Act and the rules of the Florida Division of Archives, History and Records Management. To that end, the City Manager is authorized to develop such additional administrative procedures and forms so as to accomplish this responsibility.
10. While managerial personnel responsible for drafting performance evaluations may, to assist them in drafting annual evaluations, maintain separate notes on positive/negative conduct or performance, including notes on verbal counseling events, such records are public records and, if specifically referenced in an evaluation or discipline notice, must be attached thereto.

II. PERSONNEL FILES

Section: II-B

B. Access to and Retention of Official Personnel Files

B. Access to and Retention of Official Personnel Files

1. Personnel files (official and informational copies) are public records subject to review under Florida Statutes § 119.07, subject to any applicable exemption(s). Official employee personnel files may be reviewed at the Human Resources Department during normal working hours. The records custodian, or designee, will assist and supervise during the review. Documents cannot be removed or rearranged within the official personnel file during review.

NOTE: Employees holding certain positions are entitled under Florida law to request that certain personally-identifying information such as home addresses, not be released by other governmental agencies which may be in possession of this information. It is the responsibility of each employee holding such a position to make these requests to other governmental agencies.

2. Requests concerning past or present employee personnel information should be referred to the Human Resources Department. The Human Resources Staff will respond to inquiries from agencies and the general public regarding disclosure of official personnel data.
3. In accordance with the Florida Public Records Act, copies of personnel files may be made and furnished to requesters upon payment of the statutory fees. Money collected is remitted to the City's general fund. Employees are not charged for single copies made from their official personnel files. However, they shall be charged the established rate for additional copies. The Human Resources Department is responsible for reviewing a personnel file prior to production or copying to ensure all material exempt from public records disclosure has been covered.
4. Official personnel files must be retained for a length of time determined by the State of Florida Bureau of Archives and Records Management. This period is currently twenty-five (25) years following the employee's effective date of separation from City employment. Because of the permanency of such records, department directors must carefully review documents to determine their necessity before requesting entry to the "official" personnel file. The City Manager, in consultation with the City Attorney as needed, is authorized to develop administrative procedures concerning the proper storage of, and access to, records, including medical files, of current or former employees.

III. PROBATIONARY PERIOD*Initial Probationary Period***III. PROBATIONARY PERIOD**

1. The first twelve (12) months of employment serve as a probationary period for all non-at-will employees filling regular full-time or part-time positions and are used for the following:
 - a. To provide an adjustment period for an employee to become familiar with his/her job duties and responsibilities.
 - b. To provide on-the-job instruction, guidance and counseling.
 - c. To observe and evaluate employee job performance.
 - d. To remove/discharge an employee whose job performance fails to meet required work standards or who, for reasons stated in Section XI.B. of this Policy, must be removed/discharged for other reasons.
2. Probationary employees are not entitled to utilize the Employee Complaint Procedure (ECP) or appeal process unless a claim of unlawful discrimination is made, nor are they entitled to any hearing except as provided in Section XI.D.2.d. of this Policy.
3. Regular employees accrue paid leaves of absence during the probationary period. They can use accrued sick or vacation hours subject to normal approval procedures (after they have been credited to their accrual accounts).
4. Probationary employees who leave City employment are paid their compensatory time and accrued vacation leave balances in accordance with Section VII. A. of the Policy. This payment is made at the employee's base hourly pay rate in effect at the time of separation. If service is terminated by death, payment is made as authorized by Florida Statutes § 222.15.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV.A

*A. General Policies***IV. PAY, HOURS OF WORK AND WORKWEEK***A. General Policies*

1. Due to the variety of services provided by City departments, certain employees may be required to work varying days and hours. Department directors schedule work that is necessary and beneficial for the efficient operation of the City. It is the responsibility of the department director to manage overtime within budgetary constraints. Pursuant to 29 C.F.R. § 553.23, by accepting employment with the City, all overtime-eligible employees agree that the City may elect to provide compensatory time in lieu of payment of overtime work in cash pursuant to its compensatory time policies. Employees may also be required, at the discretion of the City, to use compensatory time in lieu of vacation pay when requesting vacation time off.
2. Non-Exempt Employees
 - a. For purposes of this Policy, all employees not considered exempt will be considered non-exempt, and therefore subject to the minimum wage and maximum hour provisions of the Fair Labor Standards Act (FLSA). Non-exempt employees are eligible to earn overtime (including premium pay differential when applicable) or compensatory time at one and one-half (1 ½) times their hourly rate.
 - b. Whenever a non-exempt employee becomes promoted or reclassified to an FLSA-exempt position, the employee shall have any accrued compensatory time paid to him/her at their rate of pay of the non-exempt position they held immediately prior to their promotion.
3. Exempt Employees:
 - a. For purposes of this Policy, exempt employees are expected to work whatever hours are necessary to accomplish assigned duties and responsibilities. However, it is recognized that because exempt employees are often required to work irregular and/or extended hours, it is appropriate that they be provided a certain latitude in occasionally being away from their place of work during normal work hours. It is the responsibility of the immediate supervisor or the department director to determine if the absences are inappropriate.
 - b. Exempt employees are not eligible to be awarded compensatory time or premium pay differential.
 - c. Department directors may suggest the exemption of certain job classifications from the provisions of the Fair Labor Standards Act (FLSA). However, the final determination is made and executed by the City Manager, in consultation with the City Attorney's Office.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

B. Allocation of Work Hours, Workweek and Work Period

B. Allocation of Work Hours, Workweek and Work Period

1. The *workweek* starts at 12:00 a.m. on Saturday and ends at midnight the following Friday. The normal full-time work schedule includes forty (40) hours during the workweek. These hours should not be construed as either a fixed minimum or maximum. Work hours that exceed a normal workweek may be required. Except as provided herein or as determined by the department director, in conjunction with the City Manager and payroll staff, normal hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.
2. *Lunch periods*- Bona fide meal periods (employee is completely relieved from duty for the purpose of eating regular meals) are not work time and are unpaid. The time scheduling and length of lunch periods are coordinated between the employee and the supervisor, according to that organization's needs. (Note: There is no federal or State of Florida law requiring meal breaks in industries or offices, with the exception that minors 17 years of age or younger shall not be permitted to work for more than 4 hours continuously without at least 30 minutes for a meal period.)
3. *Break (rest periods)* - Breaks (usually not more than 15 minutes each) may be permitted by supervisors when the work requirements allow them, and must be allowed for nursing mothers to express milk for up to one year after birth. Break periods are considered to be rest periods and must fall within working hours (work is performed immediately preceding and following the break period) and may not be accumulated for additional time away from work. (Note: There is no federal or State of Florida law requiring rest periods, but if they are offered, they must be counted as hours worked.)
4. *Flexitime* is the generic term for flexible scheduling programs - work schedules that permit flexible starting and quitting times within limits set by management. Flexitime requires employees to work a standard number of hours within a given time period (usually forty (40) hours during a five-day work week). Each City department has the option to use flexitime, if it can be adapted to better meet that organization's unique needs. However, each City department or division which elects to permit flexitime must, with the assistance of the Human Resources Staff, adopt a flexitime procedure which will be published to the department's employees and which will be uniformly applied within that department or division.
5. *Work-at-Home Program* - The Madeira Beach Board of Commissioners does not recognize a "work-at-home" program. There may be times when certain projects could be performed by employees who are at home due to extenuating circumstances. Any such projects must be authorized by the department director and approved by the City Manager prior to work being done. If a project is approved to be completed at home, the project must be familiar to the employee concerned and have definite parameters for measuring time necessary to perform the work. The employee will only be compensated for the standardized hours recognized for completion of the project. City equipment is not to be used outside the regular workplace, unless authorized by the department director and approved by the City Manager. All hours worked at home must be reported.
6. *Medical Attention* - In accordance with 29 C.F.R., § 785.43, time spent by an employee in waiting for and receiving non-elective medical attention on the premises or at the direction of the employer during the employee's normal working hours on days when he or she is

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

B. Allocation of Work Hours, Workweek and Work Period

working constitutes hours worked except for worker compensation visits (see also section VII.B.8.a. of this Manual).

7. *Furlough* - Notwithstanding any other provision of these policies to the contrary, where the City Manager, in consultation with the Board of Commissioners, determines that current budgetary conditions require a reduction in the overall hours employees work in order to remain within the authorized budget, the operational hours of any one or more office, service or function of the City may be reduced for one or more weeks, days or hours, either consecutively or sporadically. Such periods of reduction may be either by complete closure or operation with a less than full staff as deemed necessary. Employees working within such offices, services or functions will be placed on unpaid furlough during such periods, and hours spent on furlough shall not count as hours worked for any purpose. Pursuant to 29 C.F.R. § 541.710(b), the City Manager is authorized to deduct hours spent on any furlough from any employee being compensated on a salary basis if budgetary constraints require the deduction.
8. *Electronic Timekeeping* – In recognition of the limitations which may be inherent in the electronic timekeeping systems the City may now or in the future use, including limitations on the delineation of actual lunch or break schedules, employees who are unable to enter the actual chronological times for such events shall not be subject to discipline for falsifying records. FLSA non-exempt employees must, however, ensure that their actual hours worked each day are truthfully and accurately recorded in any such system to ensure proper payment of wages due, including overtime and premium pay.
9. *Pay Class/Annual Base Salary Calculations* – Annual base salaries shall be calculated based upon the pay class and full-time equivalent assigned to the position.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-G

C. Pay Eligibility**C. Pay Eligibility****1. Extra Hours**

The necessity to work extra hours is made at the discretion of the City Manager. It is important that department directors ensure that extra hours are distributed equitably among employees qualified to perform the work, while giving consideration to the personal wishes of employees involved. However, it is ultimately the department director's decision to designate who will perform the extra hours.

For overtime control purposes, overtime-eligible employees are prohibited from coming to work early and leaving late for purposes of conducting work, or working through lunch periods or bringing work home, unless specifically authorized by their supervisor in advance. Supervisors shall monitor the workplace to ensure that employees who are not scheduled to be working do not remain in the workplace. Nothing herein is intended to prevent an employee from remaining in a City building during a meal period. However, during such period, the employee is not expected to, and is prohibited from, performing work of any kind (including answering phones or reviewing emails) for the City.

Unless otherwise specified by a collective bargaining agreement, an employee shall be required to work overtime when assigned unless excused by the supervisor. An employee who refuses to work overtime when assigned will be subject to disciplinary action for said refusal. An employee scheduled to work overtime who fails to fulfill the assignment for reported medical reasons will, at the City's discretion, be required to substantiate the medical absence with a doctor's note or similar proof.

Overtime or compensatory time be documented by an electronic time off request. However, if this is not feasible, a schedule of work hours or other form of written documentation should be available to support the designation of overtime or compensatory time.

a. Non-Exempt Employees

All hours worked over forty (40) in a workweek are considered overtime and are compensated by overtime pay or compensatory time as agreed or understood before the work in excess of forty (40) in a workweek is performed. Absent emergency circumstances, overtime must be approved in advance by the City Manager in advance.

b. Exempt Employees

For purposes of this Policy, exempt employees are paid on a salaried basis and are expected to work the hours necessary to accomplish assigned duties and responsibilities. Paid extra hours are only to be considered under the terms of an approved performance bonus plan.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-C

C. Pay Eligibility**2. Overtime Pay**

Employees entitled to overtime pay are paid for each work hour in excess of forty (40) hours in the workweek at a rate of one and one-half (1 ½) times their regular hourly rate of pay, including premium pay differentials when applicable.

3. Compensatory (Comp.) Time

Time off in place of overtime is called compensatory (comp.) time.

- a. Non-exempt employees scheduled for extra hours of work designated as comp. time are credited at the rate of one and one-half (1 ½) hours for each hour worked. Used comp. time (reflected on the timecard) is deducted from the compensatory time accrual account hour for hour and does not count as hours worked.
- b. Employees may be required to utilize compensatory time in lieu of leave time at the discretion of the department director.
- c. Non-exempt employees are prohibited from accumulating comp. time balances in excess of one-hundred twenty (120) hours (180 for certain Fire/EMS employees who work 24/48 hour shifts). Such employees who perform work and are not eligible for the accumulation of additional comp time shall be compensated by regular or overtime pay as the case may be. By accepting employment with the City, employees consent to be paid comp. time in lieu of overtime pay at the discretion of management.
- d. Comp. time hours shall be paid out when an employee is promoted or reclassified to an FLSA-exempt position, as specified in Section IV.A.2.b., or when an employee separates (voluntarily or involuntarily) from City service.
- e. An employee who has accrued compensatory time, and requests use of the time, must be permitted to use the time off within a reasonable period after making the request, if it does not unduly disrupt the operations of the agency (29 U.S.C., § 207 (O)(5)). Comp. time cannot be used in lieu of sick leave if sick leave balances are available.
- f. When a non-exempt employee is designated as “acting” in an open exempt position (such as a manager position open due to retirement where a new manager must be recruited), the employee shall be compensated during this acting status as an FLSA exempt manager and shall therefore not be eligible for overtime, comp or premium pay differential.
- g. However, when a non-exempt employee is only temporarily fulfilling the duties normally associated with an exempt position (such as to cover for a vacationing manager) in addition to their normal duties, the employee shall continue to be paid his/her normal rate of pay, and shall be eligible for overtime, comp and premium pay differential, as may normally be applicable.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-C

C. Pay Eligibility

4. On-Call Status
 - a. Exempt employees are ineligible for on-call status.
 - b. An employee required to remain on-call (on City premises or so close that he/she cannot use the time effectively for personal purposes) is considered to be working in an on-call status. On-call hours are designated as work hours for the workweek and count towards overtime.
 - c. On-call hours for non-exempt employees are eligible for premium pay differentials, overtime and compensatory time.
 - d. On-call employees must always be reachable by a pre-designated means of communication and able to arrive at the work location within the time established by the department director or designee. As employees are compensated for on-call assignments, they must refrain from drinking alcohol, taking medications or engaging in any other conduct which would prevent being ready for duty. Further, if they are unavailable when called in, they will be subject to disciplinary action and will not be paid any on-call pay for that assigned period. On-call assignments should be distributed equitably among qualified employees, consistent with operational needs.

5. Standby Status
 - a. Exempt employees are ineligible for standby pay.
 - b. Employees who are not otherwise informed that they have been scheduled to work and who are placed on standby status (instructed to be available but otherwise able to use the time effectively for personal purposes) may remain at home, or they may leave work how (pager, cell phone, etc.) and where they can be reached, but they must do one or the other. These employees receive straight time pay (compensatory time not allowed) for hours designated as standby assignment, with maximum accruable hours of three (3) in a 24-hour period. Standby hours must be outside the scheduled (regular or modified-schedule) workday, and may not be assigned to or worked by employees who do not work their regularly-scheduled shift immediately prior to standby assignment, or who are unable to respond, due to illness. Employees who receive advanced notice of a requirement to report for duty, even where such work is to be performed outside of a regular schedule, are not eligible for standby pay. Since assigned standby hours can vary according to circumstances, guidelines will be used to award compensation as shown below. (Note: No other proration methods are authorized):
 - ❖ Less than five (5) hours of standby status is ineligible for standby pay
 - ❖ One (1) hour of straight time pay for 5 up to 9 hours of standby status
 - ❖ One and one-half (1.5) hours of straight pay for 9 up to 12 hours of standby status
 - ❖ Two (2) hours of straight pay for 12 up to 16 hours of standby status
 - ❖ Two and one half (2.5) hours straight pay for 16 up to 20 hours of standby status
 - ❖ Three (3) hours of straight pay for 20 up to 24 hours of standby status

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-C

C. Pay Eligibility

- c. If employees on standby status are required to report for duty, they are paid for hours worked, with a minimum of two (2) hours for the first “call out” regardless of time spent responding. Thereafter, employees shall only be paid for the actual hours worked on subsequent “call outs” during the standby period. Call-out hours are eligible for premium pay differentials and count as hours worked towards overtime. In addition to the call-out hours, employees are also compensated for standby status as reflected under Section IV.C.6.b.
- d. Employees placed on standby assignments must always be reachable by a pre-designated means of communication and able to arrive at the work location within the time established by the department director or designee. As employees are compensated for standby assignments, they must refrain from drinking, taking medications or engaging in any other conduct which would prevent being ready for duty. Further, if they are unavailable when called in, they will be subject to disciplinary action and will not be paid any standby pay for that assigned period.
- e. Standby assignments should be distributed equitably among qualified employees, consistent with operational needs.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

*D. Work Time Records and Emergency Conditions**D. Work Time Records and Emergency Conditions*

1. The City's Work Time Records or time cards are designed to meet the record-keeping requirements of the FLSA. Department directors are responsible for maintaining a record of work schedules for non-exempt employees.
2. **Exempt Employees:** Due to their exempt, salaried status and the expectation that they are often required to work irregular and extended hours, but have the latitude of occasionally being away from their workplace during normal work hours, exempt employees complete work records but do not have to complete a daily record of time worked. For payroll accounting purposes, they will need to record absences charged to employee benefit accounts (i. e., sick, vacation, holiday, etc.). Exempt employees are not required to create time worked records, unless absences are charged to their accrued benefit accounts.
3. **Non-Exempt Employees:** All hours (paid, unpaid or charged to accrual accounts) must be recorded in the City's time and attendance system daily for the non-exempt employee's scheduled work periods. Pay, including overtime pay, is calculated for each workweek and paid (if overtime pay) or credited (if comp. time) to employees on a bi-weekly basis. Non-exempt employees are required to sign their time records, either physically or, where provided, via electronic means.
4. After payroll has completed processing, original records of time worked are maintained by human resources for the appropriate periods set forth in the FLSA and Florida records retention schedule. To the extent the City employs an electronic time and attendance system, such records maintenance may be performed electronically.
5. **Emergency Conditions:** When the Board of Commissioners formally declares a state of emergency, City employees who hold positions designated to perform essential services during the actual emergency declaration period shall, if report to work when required. The City Manager or department directors may also require employees who perform essential services to work during actual or impending extreme emergency situations or conditions (weather, hazard, etc.), not declared as a "state of emergency."
6. **Pay for Work During Declared Emergency:** During a declared emergency, City offices and operations may close. Employees who are not directed to work in any capacity during such closure must not report for duty during such periods. Employees are not authorized to designate themselves as essential or to perform work of any kind for the City during a closure of City offices and operations, unless expressly directed to work by their director or the city manager.

For all employees in positions classified as FLSA exempt, such employees will receive no additional compensation for any hours worked during any declared emergency. FLSA non-exempt employees shall receive compensatory time at 1.5 times their regular hourly rate of pay for any hours worked during any declared emergency regardless of what non-emergency hours he or she may have worked during any given work week and regardless of what specific work assignment such employee is given during the emergency period.

Non-FLSA exempt employees shall not be compensated for any time off during such periods.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

D. Work Time Records and Emergency Conditions

FLSA exempt employees shall be paid their established salaries except that if they are not directed to perform any work during the entire work week, such employees shall not receive their salaries for that week.

Employees who are not compensated due to a closure during a declared emergency may, at their discretion, use any available vacation or compensatory leave to accommodate otherwise unpaid periods. Employees may not use non-FMLA sick leave for such periods unless they demonstrate through medical documentation to their department director's satisfaction that they were medically unable to perform their duties during the period in question.

In the event a City holiday falls on a day where the City is closed due to an emergency condition, compensation of the holiday for employees not required to report for duty shall be as provided for in this policy with respect to holiday compensation. Employees required to work on a holiday during a declared emergency shall be entitled to take the equivalent unpaid time off with no reduction in leave balance once the declared emergency ends and the leave may be scheduled.

All employees with approved leave requests covering the declared emergency period, regardless of leave type, are subject to having such leave cancelled and to being recalled to duty during the emergency period. Directors shall make every effort to accommodate pressing conditions, and ill employees, when determining which employees to call back from leave. Notwithstanding the foregoing, employees who cannot report for duty due to a certified FMLA condition shall not be called back to duty during an emergency condition.

Failure to Report for Duty When Assigned: Any employee required to report for duty during an emergency condition who fails or refuses to report and/or to perform duties as directed will be subject to termination from employment. Failure to monitor on-call or stand-by phone numbers and respond to calls will constitute a failure to report. The only exception to this policy will be for employees physically or medically unable to report or perform as ordered, or where the employee is on pre-authorized FMLA leave during the emergency period. For non-FMLA medical conditions, the City will require after the fact medical verification of medical conditions, and reserves the right to require second opinion examinations. Employees claiming a physical inability to report when required are not permitted to cite a mere fear of travel during the emergency condition, or a general concern for not staying with family. Employees, particularly those designated by their departments as being critical responders during emergency conditions, have a responsibility to plan ahead for the safety and welfare of their families and the securing of their property so that they will have the ability to report when called. Only extraordinary incidents of inability to report wholly beyond the employee's ability to control will be excused.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV

*E. Salary Basis Questions**E. Salary Basis Compensation Questions*

1. It is Madeira Beach's policy to comply with applicable wage and hour laws and regulations. Accordingly, the City intends that deductions be made from your pay only in circumstances permitted by the Fair Labor Standards Act and the U.S. Department of Labor's rules governing the salary basis for pay for exempt employees. The improper pay deductions specified in 29 C.F.R. §541.602(a) may not be made from the pay of employees subject to the salary basis test.
2. If you have any questions or concerns about your salaried status, or you believe that any deduction has been made from your pay that is inconsistent with your salaried status, you should immediately raise the matter with your department director. If you have raised the matter with your supervisor and it is not resolved within ten (10) business days, or if, for any reason, you are uncomfortable discussing the matter with your director, you must submit your question or concern to the Human Resources Staff for review and response.
3. To ensure the City understands your question or concern and is able to conduct a proper review, any such question or concern which seeks the payment of wages allegedly owed must be made using the official HR form approved for that purpose. Any such question or concern must, at a minimum, include employee name, a brief description of the facts related to the question or concern, and the response of the employee's director, if any. The pay period(s) at issue should also be identified. If you are unable due to disability to submit your complaint in writing, a Human Resources representative will assist you in formalizing your question or concern, which you will then be asked to review and sign to ensure its accuracy.
4. The City is committed to investigating and resolving all compensation disputes as promptly, but also as accurately, as possible. Consistent with the U.S. Department of Labor's policy, any question or concern will be responded to within a reasonable time given all the facts and circumstances. If a review of the matter reveals you were subjected to an improper deduction from pay, you will be reimbursed and the City will take whatever action it deems necessary to ensure compliance with the salary basis test in the future.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV

F. Forms

F. Forms

1. Department directors, in conjunction with the Human Resources Staff, are responsible for investigating and ensuring job compliance for all positions (exempt and non-exempt) under applicable federal, state, local, and personnel policy guidelines. Any significant or important changes should be noted on the appropriate position description forms.
2. Changes (i. e., pay, classification, status, etc.) for exempt and non-exempt positions are initiated and approved by processing Pay Assignments and other pertinent forms. Procedures are set through "administrative" guidelines.
3. The Human Resources Staff ensures standardization of forms used throughout City departments. These forms are designed, updated and distributed from time to time under direction of the Human Resources Staff. To reduce the cost of purchasing, printing and storing paper, and to enhance efficiency, the Human Resources Staff shall endeavor to use electronic generation, electronic signatures, and electronic storage and retrieval systems for personnel records whenever possible.

V. CLASSIFICATION AND PAY PLAN

Section: V.A

*A. General Policies***V. CLASSIFICATION AND PAY PLAN***A. General Policies*

The Madeira Beach Civil Service Commission, in cooperation with the City Manager, is charged with the on-going development of Madeira Beach classification and pay plans. This includes periodic studies relating to equitable classification categories and pay ranges. The goal of the Board of Commissioners is to maintain sound plans providing classification and pay structures that are fair, equitable, and systematic compared with other governmental jurisdictions and the private sector. This enhances Madeira Beach's ability to attract and retain competent employees to provide efficient services to the citizens of Madeira Beach.

The Civil Service Commission, working with the Human Resources Department, will periodically examine, by use of staff, consultants and such other resources available, market conditions and comparative wage data for relevant public and private sector employers, and based upon the results of this examination, will make a written recommendation to the City Manager concerning wage adjustments. Based upon such written recommendations concerning the need for market equity adjustments, the City Manager may propose a budget including funds sufficient to implement such adjustments concurrent with a new fiscal year, and may implement same upon budget approval. Any such overarching market equity adjustments shall be confined by the budget approved by the Board of Commissioners for that fiscal year.

Notwithstanding the foregoing, any awarded wage rate increases based upon a merit evaluation system (which system must be separately established by resolution) shall be implemented based on the calendar year.

The Civil Service Commission, working with the City Manager, is charged with creating recommended classifications and pay plans (subject to budgets approved by the Board of Commissioners) as the City's business needs and operating experience dictate.

Madeira Beach reserves the right to organize itself, and classify and schedule its employees, in the manner deemed most effective and efficient at any given time, based on the needs of the community the City serves, and available City resources. Therefore, while the City will make every attempt to create stable career opportunities and work environments for employees, no City employee has any permanent right to claim any job title, classification, department, pay plan or rate, job description, benefit, schedule, shift, work location, co-worker(s) or any other aspects of the employment relationship other than those required by law to be provided.

V. CLASSIFICATION AND PAY PLAN

Section: V-D

B. Administration

B. Administration

1. Recommendations for assignment of authorized positions to classification titles and pay grades and recommendations for changes to existing classification and pay grade assignments are made to the City Manager by the Civil Service Commission and Human Resources Staff. Any such changes for administration positions shall become effective once approved by the City Manager.
2. Recommendations for staffing level changes which will result in an overall increase in the number of authorized employees under the City Manager or for which an increase in the overall operating budget is sought shall be submitted to the Board of Commissioners for approval. Staffing level reductions, or any transfer or reassignment of one or more City staff, either within or between departments, may be performed administratively by the City Manager.

V. CLASSIFICATION AND PAY PLAN

Section: V-C

C. Application**C. Application****1. General**

- a. Notwithstanding any other provision of this Policy, no employee may receive any pay rate increase (other than for temporary duty performance) which would cause such employee to be compensated in excess of the maximum of the pay range established for the position such employee holds.
- b. Requests that are different from the parameters provided in Section V. of this Policy may be considered under exceptional circumstances. Such requests must be submitted, with appropriate justification, by the department director to the City Manager, who shall approve or decline such requests.
- c. At no time is an applicant or employee to be promised pay or conditions that are outside the parameters of the Policy, unless authorized through the approval process (as outlined in b. above.) Any terms or conditions of employment, including but not limited to departures from established pay rates, moving expenses, hiring bonuses, language inducements, unique leave accrual rates, or transfer of unpaid leave balances or time in service, must, to be effective, be included in the written conditional offer of employment presented to the candidate by the City. Any other promises or representations made to a candidate not included in the conditional offer of employment shall not be valid or enforceable against the City.

2. New Hire Employment

- a. Initial employment in a classified position is normally paid the minimum of the assigned pay grade.
- b. Initial employment in a classified position may be paid at any rate agreed to between the City and an applicant. In establishing a pay rate offer, department director shall consider grant/program funding levels, current budgetary allocations and projected expenditures within the department, labor market conditions, equity and compression issues within the department, as well as candidate qualifications. Prior to extending an offer to a candidate which exceeds the mid-point of the pay range, the department must be able to provide appropriate justification to the Human Resources Staff. The Human Resources Staff shall review all proposed offers and, where an offer is in excess of the mid-point of the pay range established for the position, shall make a recommendation to the City Manager as to whether the proposed offer should be approved or denied.

3. Promotions

- a. *Advertised Promotion* occurs when a current employee is selected through open competition for a position in a higher classification. Subject to available resources and market conditions, employees promoted as a result of advertising to a classification in a higher pay grade will generally receive the greater of a 5% increase or entry level of the new pay grade. Directors may request higher increases for extenuating circumstances, but may not be offered to an employee prior to the Human Resources Staff's review and approval of the written documentation supporting the request.

V. CLASSIFICATION AND PAY PLAN

Section: V-C

C. Application

- b. Internal Promotion occurs when a qualified employee is placed in a higher position without advertising. Requests for internal promotions must be submitted to the Human Resources Staff by the department director with explicit support documentation (i. e., employee meets job requirements, will not create equity or other issues with other employees, is in the employee's career path, employee is already performing duties, and is in the best interest of the City). The Human Resources Staff shall either approve or deny the request. Pay guidelines are the same as outlined in V.C.3.a. above (Note: External recruitment helps build strong workforces. Therefore, positions below director level should usually be advertised. Internal promotions without first advertising should only be considered in unusual circumstances, such as recruitment difficulty, departmental health/safety criteria dictates immediate need to fill, internal candidate with extraordinary skills or background, etc.)

4. Demotions (Changes to Lower Classifications)

When an employee is demoted for any reason, the employee is requested to sign a statement of understanding, acknowledging the demotion and rate of pay. (Signing this document does not mean that the employee agrees or disagrees with the action, only that he/she received notice of it). This acknowledgment is attached to the demotion paperwork sent to Human Resources for processing.

- a. An employee who applies through open competition, or requests a voluntary transfer, to a lower classification and pay grade, and is accepted; or who are involuntarily demoted to a lower classification for non-disciplinary reasons (i. e., inability to perform the duties of the job, reduction in work force, lack of work, reorganization, etc.), will be placed in the lower pay grade at the same percentage above the lower pay grade minimum as the employee's previous rate of pay was above the previous pay grade minimum. (See example below). This is subject to approval by the Human Resources Staff.

EXAMPLE: Employee's current hourly pay rate is \$10.00. Entry level pay rate for the current pay grade is \$9.00. To calculate the percentage over entry level, divide the difference (\$1.00) by \$9.00 = 11.11% over entry level. If the entry level pay rate for the lower pay grade is \$8.00 (\$8.00 plus 11.11% = \$8.888, rounded to \$8.89). Employee's new pay rate for the lower pay grade will be \$8.89.

- b. Notwithstanding the provisions of Paragraph 4.a. above, in order to ensure fair and equitable treatment, each case of demotion shall be reviewed individually. The department director must document any salary adjustment request that is different (either a greater rate or lower rate) from that provided in Paragraph 4.a. above and have the request approved by the Human Resources Staff.
- c. In cases where an employee is demoted as the result of disciplinary action, the disciplining director shall have the authority to assign the employee a pay rate lower than those otherwise specified for non-disciplinary involuntary demotions.

5. Temporary Assignments

- a. Acting Status. Employees temporarily assigned to perform all duties of a higher-level

V. CLASSIFICATION AND PAY PLAN

Section: V-C

C. Application

position may receive additional compensation during the assignment at a rate determined by the City Manager. The assignment must be appropriately documented by the department director, and approved by the Human Resources Staff. Regular salary adjustments are granted during temporary assignments, and shall be applied to the employee's non-acting pay rate. Upon expiration of the acting status, the employee's pay rate will return to the same level it was prior to entering into acting status, but increased by any regular salary adjustments which occurred during that period. An employee may not be placed in acting status unless that employee meets the minimum qualifications of the higher-level position.

- b. **Additional Duties.** Employees temporarily assigned by their directors to perform additional duties while continuing to perform their regular duties may, upon request of the director and approval by the Human Resources Staff, be eligible to receive additional compensation over their current pay rate consistent with Section IV.C.3.g and Section V.C.3.a., above. Regular salary adjustments are granted during temporary additional duty status, and shall be applied to the employee's non-temporary duty pay rate. Upon expiration of the temporary duties status, the employee's pay rate will return to the same level it was prior to assignment of the temporary additional duties. Alternative forms of compensation for the performance of additional duties may be developed by the City Manager from time to time and may be utilized in lieu of the rate enhancement provided for above.

6. Reclassifications and Reorganizations

Market factors, evolving priorities, evolutions in equipment and materials, employee input, grant funding, or changing organizational needs may cause a particular position classification within the City to become subject to change. Madeira Beach continually evaluates these factors against classified positions accordingly and at times determines, where the position is not wholly eliminated, to re-classify and/or reassign one or a group of positions to better serve the needs of the City and its citizens. Such reclassifications/reassignments can be minor or significant, and may result in enhancing one or more positions and related duties and requirements, or decreasing duties and requirements. Such reclassifications/reorganizations are solely within the discretion of the City and no employee possesses any right or expectation to hold or keep any one position or set of duties. To ensure compliance with any applicable personnel policies or regulations, requests for reclassifications must be submitted by a department director in writing with supporting justification to the Human Resources Department which shall review and comment upon all reclassifications or reorganization requests regardless of number of employees involved. Every possible scenario cannot be described in a general policy document such as this Manual. However, in an effort to inform employees of the outcomes of common reclassification decisions, the following examples are provided:

- a. Employees reclassified to higher pay grades shall be compensated based upon the City's assessment of the factors set forth in subsection (c) below, and such compensation changes shall take effect on the first pay period after the effective date of the reclassification.
- b. In circumstances where an employee's position is downgraded based upon reorganization, market study, individual job analysis or other similar non-disciplinary

V. CLASSIFICATION AND PAY PLAN

Section: V-C

C. Application

reason, the employee will not normally have their pay rate reduced, though their pay grade may be reduced, based upon the City's assessment of the factors set forth in subsection (c) below.

- c. In reaching any decisions regarding the establishment of reclassifications and accompanying pay grades and rates, the City will consider various factors including, but not limited to, individual experience and years of service, individual work/discipline records, current compensation and where same falls within a new pay range, equity between and among similarly-situated positions and incumbent employees, market factors, established career ladders and budgetary constraints.

7. Transfers/Lateral Transfers

Employees may be transferred to vacant positions with the same job title (transfer) or within the same pay grade, different job title (lateral transfer) without advertising, if appropriate justification is provided and the request is authorized by the department director, approved by the Human Resources Staff and future department director if transfer is to another department. Transfers/lateral transfers are not eligible for pay adjustments.

V. CLASSIFICATION AND PAY PLAN

Section: V-C

C. Application**8. Permanent Additional Duties**

Where an employee is permanently assigned significant additional duties not warranting a reclassification of their position, the employee's director shall work with the Human Resources Staff to determine a suitable wage rate increase.

9. Equity Pay Adjustment

- a. Equity Pay Adjustments are granted to maintain fair and equitable treatment of employees.
- b. Requests for equity pay adjustments may be submitted, with appropriate justification, by the department director to the Human Resources Staff for review and approval.

10. Retroactive Pay Adjustments

Retroactive pay adjustments may be considered under exceptional circumstances (such as where an employee performed assigned duties but due to accounting/recordkeeping error was not paid or where a pay-increasing certification was earned but unknown to the City). If a department director requests retroactive payment for an action, a written request must be submitted to the Human Resources Staff for consideration. If approved by the Human Resources Staff, the amount of retroactive compensation will be determined by Human Resources and Payroll. (NOTE: Nothing herein should be interpreted as authorizing any employee to be paid for work which was not authorized to be performed by the City. Employees performing unauthorized work shall be subject to disciplinary action). To the extent the adjustment results in a deduction from pay for wrongly-paid compensation, any such deduction shall not result in an employee being paid less than the established minimum wage for any given pay period.

11. Pay for Performance

In addition to any general wage adjustment that the Board of Commissioners may from time to time adopt, the Board of Commissioners may by separate resolution adopt a compensation program which includes variable wage increases linked to job performance. Such program may distinguish between exempt professional and managerial classifications, and full and part time hourly compensated employees. As to hourly employees, any such program shall be based upon quantifiable measures of performance and shall be designed and administered so as to ensure discrimination, favoritism or inconsistent application of eligibility criteria do not occur. In addition, pursuant to Florida Statutes § 215.425(3), the Board of Commissioners may from time to time adopt, by resolution, a performance bonus plan based on work performance which describes the performance standards and evaluation process by which such awards are to be given. Any such plan must be noticed to all employees prior to implementation. Nothing herein shall be interpreted as creating any requirement to develop or budget funds for pay for performance or bonus programs or policies, nor as creating an entitlement on the part of any employee to receive same.

VI. HOLIDAYS

Section: VI

A. Administration**VI. HOLIDAYS****A. Administration**

The following is offered as a guideline and is not considered to be all inclusive. Recognized holidays are subject to periodic review and revision by the Board of Commissioners.

1. Paid holidays are a Madeira Beach employee benefit. They may not be accrued for future use, and holiday hours taken shall not count as hours worked for any purpose other than FMLA eligibility.
2. A holiday must be taken in one (1) work day.
3. When a City observed holiday occurs during an approved leave of absence with pay (i. e., vacation, sick, compensatory, military, bereavement, etc.), and the appropriate leave is identified on the timecard, the employee will be paid for the holiday. (The holiday should be coded as "holiday" on the timecard.) If applicable accrued leave balances (i. e., vacation, sick, etc.) are charged on the timecard for the period in which the holiday occurs and the holiday is not coded as "Holiday," if eligible, the employee will be credited for the appropriate accrued leave upon written request from the department director to the Human Resources Staff.
4. An employee who is not on an approved leave of absence and is absent from work on the day preceding or the day following a City observed holiday is required by the department director to explain the absence. If the absence is approved, appropriate accrued balances will be charged on the timecard. If the absence is not approved, or if the employee has no appropriate accrued balances to be charged, the employee is not paid for the unapproved absence, nor for the holiday, and may also be subject to discipline.
5. When an employee is scheduled to work on a City observed holiday and fails to report for duty, the employee shall not be paid for the holiday and may be subject to discipline.
6. When a City observed holiday occurs during a leave of absence without pay, i.e., FMLA, suspension, sick/vacation with no accrued leave balances, administrative leave pending discipline, etc., the employee will not be paid for the holiday.
7. When a City observed holiday occurs within a period of Workers' Compensation benefit pay, holiday hours shall be paid to bring the employee's pay to 100 percent pay status for that day.
8. When a holiday falls on a Saturday, it is observed on the preceding Friday. When a holiday falls on a Sunday, it is observed on the following Monday, except as may be determined otherwise by the City Manager.
9. When a holiday falls outside of an employee's regular work schedule, the employee will be paid straight time for the holiday at 8 hours multiplied by the full-time equivalent (FTE). These hours will not be subject to overtime consideration or count as hours worked for any purpose.

VI. HOLIDAYS

Section: VI

B. Listing of Holidays

B. Listing of Holidays

Holidays recognized are as follows:

1. New Year's Day - January 1
2. Martin Luther King's Birthday - Third Monday in January
3. President's Day - Third Monday in February
4. Memorial Day - The last Monday in May
5. Independence Day - July 4
6. Labor Day - First Monday in September
7. Veteran's Day - November 11
8. Thanksgiving Day - Fourth Thursday in November
9. Friday After Thanksgiving Day
10. Christmas Day - December 25
11. Day before or after Christmas (determined annually by the City Manager).
12. Personal Holiday(s)
 - a. Personal holidays, the number of which are set by the Board of Commissioners from time to time, and awarded during a calendar year, are to be taken during the year in which they are awarded. Failure to use available personal holidays by the end of the calendar year will result in those days being lost.
 - b. OPS (temporary) employees are not eligible for personal holidays.
 - c. Since daily scheduled work hours can vary depending on an employee's status and job assignment, the number of hours to be paid as a personal holiday must be equal to the number of regular work hours scheduled for that day. Personal holiday hours used do not count as hours worked for any purpose.
 - d. While on unpaid leaves of absence employees are ineligible to use a personal holiday.
 - e. Notwithstanding the availability of personal holidays to employees, advanced permission to use a personal holiday must be obtained, and the department director has the sole discretion to allow a personal holiday to be used on any particular day, or to rescind a prior approval where the needs of the City so require.
 - f. Employees who separate from City employment and are rehired within the same calendar year are ineligible to use a personal holiday if it was used prior to separation.

VII. LEAVES OF ABSENCE

Section: VII.A

A. Vacation Leave

VII. LEAVES OF ABSENCE

A. Vacation Leave

1. Full-time and part-time employees who fill established positions earn Vacation Leave credits. For health and well-being purposes, employees are encouraged to use their vacation leave each year and it is recommended that supervisors ensure employees are given that opportunity. Vacation Leave taken for purposes which qualify for FMLA coverage will be designated as FMLA Vacation Leave. Scheduling preference (where such decisions become required such as traditional holiday seasonal request increases) will be made by the department director based upon the operational needs and efficiencies of the department, seniority, timing of request, and any other factors which the department director deems appropriate.
2. Employees may only begin a new calendar year with a maximum of *** vacation leave hours, accruals of which are tracked by the calendar year. If an employee's vacation leave balance exceeds its maximum by end of calendar year, excess hours will be transferred to sick leave account in the first pay period of the new calendar year unless otherwise approved under Section VII.A.8. Employees earn vacation leave according to the following tables:

* 80 Scheduled Work Hours Per Pay Period		
Period of Continuous Employment	Hours of Leave Earned Bi-Weekly/Annually	Maximum End of Year Hours
0 to End of 5 Years	5 Hours/130 Hours	400 Hours
6th to End of 10 Years	6 Hours/156 Hours	400 Hours
11th to Termination	7 Hours/182 Hours	400 Hours

* **All employees except some Fire/EMS employees on schedules other than forty (40) hours a week. (Part-time employees accrue on a pro-rata basis.)**

** 112 Scheduled Hours Per Pay Period		
Period of Continuous Employment	Hours of Leave Earned Bi-Weekly/Annually	Maximum End of Year Hours
0 to End of 5 Years	6.72 Hours/174.72 Hours	400 Hours
6th to End of 10 Years	8.16 Hours/212.16 Hours	400 Hours
11th to Termination	9.56 Hours/248.56 Hours	400 Hours

** **Applies to employees who have a regular “24 on/48 off” work shift.**

VII. LEAVES OF ABSENCE

Section: VII-A

A. Vacation Leave

NOTE: When hours paid are less than the scheduled hours, the hours accrued are a pro-rata of the designated accrual rate. (Example: Scheduled hours 80, paid hours 60, accrual rate 5.00 hours; would be calculated as $60 \div 80 = .75 \times 5.00 = 3.75$ hours accrued).

3. Vacation leave for non-exempt employees (which should generally be scheduled no less than three (3) workdays in advance), regardless of whether such leave is used for actual vacation or other purposes such as FMLA absence, court appearance, etc., will not be counted as hours worked towards overtime (including premium pay differentials, if applicable).
4. Approved vacation leave will be paid in accordance with the number of hours regularly scheduled to work that day. Employees taking less than a full work day shall be paid vacation hour for hour.
5. Employees shall forfeit all vacation payouts under this section if employment terminates because the employee:
 - a. Has been found guilty in a court of competent jurisdiction of committing, aiding, or abetting any embezzlement or theft from the employee's employer or bribery in connection with the employment; or
 - b. Has been terminated by reason of the employee having admitted to committing, aiding, or abetting an embezzlement or theft from his or her employer or by reason of bribery; or
 - c. Prior to termination or retirement, is found guilty of, or adjudged by a court of competent jurisdiction to have violated any state law against strikes by public employees; or
 - d. Was terminated for the commission of any felony with the intent to defraud the public or a public agency of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position.
 - e. The forfeiture of leave payout pursuant to this policy is supplemental to any other forfeiture requirements related to public officers or employees provided by law.
 - f. Forfeiture shall also occur where the employee resigns from employment after having been charged by the City or other law enforcement authority with any of the above acts but prior to having been terminated.
6. Use of vacation leave credits cannot be authorized prior to the time they are earned and credited. Vacation leave hours are used only with approval from the department director or designee.
7. At the end of the last pay period in the calendar year, the vacation leave account is audited. Vacation leave in excess of 400 hours is transferred to the employee's sick leave account on an hour-for-hour basis.
8. If an employee becomes sick/injured (personal illness/injury only) during approved vacation leave, the leave hours may be adjusted only if the time record has not been processed by Payroll and, if applicable, where acceptable FMLA certification has been submitted.

VII. LEAVES OF ABSENCE

Section: VII-A

A. Vacation Leave

9. Unused vacation time, up to *** hours, shall be paid when an employee ends employment with Madeira Beach, subject to the provisions of Section VII.A.6. However, to the extent an employee, upon enrolling a qualified Deferred Retirement Option Program, elects to receive a vacation leave payout under state administrative rules, such payout shall count toward the total *** hours payout provided for herein.
10. Sick Leave accruals cannot be used or paid out as vacation leave.
11. Notwithstanding any provision of this Policy referring to “calendar year,” accruals of leave balances shall be governed by the City’s adopted payroll tracking system, and may be calculated by the payroll calendar year used by that system.

VII. LEAVES OF ABSENCE

Section: VII-B

*B. Sick Leave**B. Sick Leave*

NOTE: Family and Medical Leave Act (FMLA) will be considered and, if applicable, will run concurrently with Sick Leave. (See FMLA Section: VII.L.)

1. Full-time and part-time employees who fill established positions earn Sick Leave credits each bi-weekly pay period based on a maximum of 80 paid hours (pro-rated if less than 80). Tracking of sick leave accruals is by the calendar year. The accrual rate for regular employees is five hundredths (.05) of an hour for each hour paid up to a maximum of 80 hours (.07 for Fire/EMS employees on 24/48 hour shifts). (Examples: 80 paid hrs. x .05 = 4 hrs.; 60 paid hrs. x .05 = 3 hrs.; EMS 80 paid hrs. x .07 = 5.6 hrs., etc.).
2. Employees using sick leave are paid at the hourly rate in effect at the time the approved sick leave is taken, but such leave used shall not count as hours worked for any purpose other than FMLA eligibility.
3. During leaves of absence with pay, employees continue to earn sick leave credits (with the exception of employees drawing hours from the Sick Leave Bank or Long Term Disability).
4. Full-time and part-time employees who fill established positions may accumulate unlimited sick leave credits.
5. Sick leave earned during any pay period is credited to the employee on the last day of that pay period. In the case of employment termination, it is credited on the last day the employee is on the payroll.
6. Use of sick leave credits cannot be authorized prior to being earned and credited, and used only with approval from the department director or designee, who may require sufficient and specific medical documentation of the need for leave prior to authorizing sick leave pay. Sick leave pay may be denied to any employee who fails to provide requested documentation.
7. Sick leave hours are charged to an employee's sick leave account. If accumulated sick leave is exhausted, the employee may request through the appropriate departmental authority to use vacation, compensatory time, or personal holiday (may be used only as a whole day) leave to cover remainder of the absence.
8. Sick leave can be authorized for the following purposes:
 - a. Personal Sick Leave
Personal Sick Leave is for an employee's personal illness, injury, or exposure to a contagious disease which could endanger other employees. Any sick leave credits used for these reasons are authorized in accordance with provisions of Section VII.B.9. For purposes of this Policy, personal illness includes complications in pregnancy, miscarriage, childbirth, and recovery from these. Note: Medical Attention - In accordance with 29 C.F.R., § 785.43, and Section IV.B.6, time spent by an employee in waiting for and receiving non-elective medical attention (with the exception of worker compensation-related visits) on the premises or at the direction of the employer during the employee's normal working hours on days when he or she is working constitutes hours worked.
9. The employee has the responsibility of notifying his/her supervisor or other designated personnel when sick leave absence is necessary. This notification should be given prior to the absence, if possible, or as soon as possible on the first day of absence. Upon request, an

VII. LEAVES OF ABSENCE

Section: VII-B

B. Sick Leave

employee may be permitted to use sick leave credits if the following procedures are followed:

- a. Prior to authorizing an employee to use sick leave credits, the department director may require the employee to certify that the absence is for reasons outlined in this Policy.
- b. After three (3) consecutive workdays (regardless of number of scheduled hours in any workday) of sick leave absence, the employee shall be required to provide FMLA medical certification from a certified health care provider before being authorized to use additional sick leave credits, unless deemed unnecessary by the department director based upon facts already known.
- c. Employees may be required to report periodically (no more often than seven (7) calendar day intervals) on the status of their sick leave and intent to return to work, and may be required to submit (no more often than thirty (30) day intervals) medical certification/re-certification from a certified health care provider if their sick leave continues.
- d. Employees may be required to convalesce at a specific location, such as a health care facility or at home where deemed necessary by the department director to prevent abuse of sick leave.
- e. Upon returning to work following a long-term illness or injury, an employee may be required to provide medical certification from a certified health care provider showing he/she is safely able to perform the essential functions of his/her job with or without reasonable accommodation.

VII. LEAVES OF ABSENCE

Section: VII-B

B. Sick Leave

10. An employee who refuses to comply with the above stated requirements is not eligible to use sick leave credits. Any unapproved absence from work will be considered unauthorized and may subject the employee to disciplinary action in accordance with the provisions of Section XI. of this Policy.
11. Employees providing written documentation from a certified health care provider indicating that the employee is unable to perform regular job duties due to an accident, illness, or medically related reason, with the approval of the department director, may be placed on light duty status or assigned to perform other temporary duties which will not be prohibited by the condition during recuperation, within the following guidelines:
 - a. The employee's hourly rate of pay remains the same, including personnel working non-standard schedules (such as 24/48 shifts).
 - b. If requested by the employer, the employee submits to a physical examination by a certified health care provider (selected and paid for by the department) prior to approval (or continuation) of the temporary status. Failure to comply could result in denial of use of further sick leave.
 - c. The temporary status may be approved by the department director for a period not to exceed three (3) consecutive months.
 - d. Requests to remain in the temporary status in excess of the three-month period must be authorized by the City Manager. Such requests will only be considered under exceptional circumstances.
 - e. Approval of temporary light duty is in the sole discretion of the City and is conditioned upon the availability of budgeted payroll funds to pay the employee and/or temporary workers at the same time, the disruption which may be caused to other workers in the workplace, the needs of the department, and the availability of bona fide light duty work to be done.
 - f. With documentation from a certified health care provider stating the employee may return to regular, unrestricted, full duty status, the employee will resume his/her regular position.
 - g. When approved to return to regular, unrestricted, full duty status, failure by the employee to do so could result in termination of employment under Section XI. of the Policy.
 - h. Approval of temporary light duty does not signify the City's agreement that the employee is a qualified individual with a disability under the Americans with Disabilities Act ("ADA") or the Rehabilitation Act, or that the employee is covered by the terms of the FMLA, or abrogate any defense that the City may have under the civil rights laws.
 - i. Employees who are determined to be unable to perform the essential functions of their job may either request a reasonable accommodation under Section IX.E, or where no accommodation is available, be referred to the Alternate Employment Program under Section IX.F.

VII. LEAVES OF ABSENCE

Section: VII-B

B. Sick Leave

12. Payment of Unused Sick Leave

NOTE: Payment for unused sick leave balances for contract employees will be in accordance with the contract in effect at the time of separation.

- a. Employees with continuous service who leave City employment, and qualify to receive payment of unused sick leave credits, may be paid a percentage of their existing sick leave balance in accordance with the table shown below, with a lifetime maximum of *** hours:

Less than 5 Years of Service	0%	10 Years of Service	40%
5 Years of Service	30%	11 Years of Service	42%
6 Years of Service	32%	12 Years of Service	44%
7 Years of Service	34%	13 Years of Service	46%
8 Years of Service	36%	14 Years of Service	48%
9 Years of Service	38%	15 Years of Service or More	50%

- b. Employees who are rehired by Madeira Beach after having previously worked for the City are not entitled to receive credit for unpaid sick leave hours related to the previous period of employment.
- c. Payment of unused sick leave credit is paid in a lump sum at the regular hourly rate in effect at the time of separation. This payment is not considered as salary in determining the average final compensation of an employee in the State administered retirement system. There is a lifetime maximum payout of *** sick leave hours for all eligible employees.
- d. Employees shall forfeit all sick leave payouts under this section if employment terminates because the employee:
 - (1) Has been found guilty in a court of competent jurisdiction of committing, aiding, or abetting any embezzlement or theft from the employee's employer or bribery in connection with the employment; or
 - (2) Has been terminated by reason of the employee having admitted to committing, aiding, or abetting an embezzlement or theft from his or her employer or by reason of bribery; or
 - (3) Is adjudged by a court of competent jurisdiction to have violated any state law against strikes by public employees; or
 - (4) Has been found guilty by a court of competent jurisdiction of violating any state law prohibiting strikes by public employees; or

VII. LEAVES OF ABSENCE

Section: VII-B

B. Sick Leave

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- (5) Was terminated for having committed any felony with the intent to defraud the public or a public agency of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position.
 - (6) The forfeiture of leave payout pursuant to this policy is supplemental to any other forfeiture requirements related to public officers or employees provided by law.
 - (7) Forfeiture shall also occur where the employee resigns from employment after having been charged by the City or other law enforcement authority with any of the above acts but prior to having been terminated.
13. Notwithstanding any provision of this Policy referring to “calendar year,” accruals of leave balances shall be governed by the City’s adopted payroll tracking system, and may be calculated by the payroll calendar year used by that system.

VII. LEAVES OF ABSENCE

Section: VII-C

*C. Personal Medical Appointment Leave**C. Personal Medical Appointment Leave*

1. With prior approval, Personal Medical Appointment leave allows eligible employees to attend personal medical-related appointments when it is not possible to arrange for appointments during off-duty hours.
2. Approved personal medical appointment leave is charged to an employee's sick leave account. Personal medical appointment hours are not considered hours worked towards overtime.
3. Personal medical leave will be recorded appropriately on the timecard (i.e., sick, FMLA, or no pay), in accordance with established pay codes for such leave. Where applicable, use of this leave will also be classified as FMLA protected and recorded as such. Departments are responsible for ensuring that FMLA coverage be documented where applicable.
4. Since medical facilities have varying waiting periods for appointments, there is no set limit for number of hours for an appointment. The employee should give his/her best estimate at the time of submission of request to the department.
5. Only the time used for the medical appointment, plus travel time to and from the appointment, may be coded as personal medical appointment leave. In addition, where the appointment is for an invasive medical test requiring pre-test preparation or a recovery period which causes an employee to be unable to report for duty, such preparation or recovery time may also qualify as personal medical appointment leave.
6. If there is a question that an employee may be abusing personal medical appointment leave, the department director may require verification of appointments.
7. Requests for personal medical appointment leave should be submitted with as much lead-time as possible. Personal Medical Appointment Leave may not be used for worker compensation examinations, treatment, etc., which must instead be coded as worker compensation leave.
8. If covered under the Family and Medical Leave Act, as evidenced through execution of adequate certification and employer response forms, personal medical appointment leave will not be used in evaluating an employee's performance.

VII. LEAVES OF ABSENCE

Section: VII-D

D. Bereavement Leave**D. Bereavement Leave**

1. Paid leave may be authorized for probationary and regular employees (OPS employees are ineligible) who have a death in their "immediate" families (see 2. below). The following procedures apply:
 - a. Bereavement leave may be authorized (excluding holidays if scheduled to work the holiday) for up to * scheduled work days (* days for employees working four 10 hour shifts) with the exception of Fire/EMS 24/48 hour employees, who may be authorized to receive up to two shifts (not to exceed 48 hours) and 12 hour shift employees may be authorized to receive up to four shifts not to exceed 48 hours.
 - b. Bereavement leave is separate and distinct from other types of leave and is not chargeable to any accrued leave balance (i.e., sick, vacation, etc.). Bereavement leave does not count as hours worked towards overtime.
 - c. In the event a family death occurs during an employee's approved sick, vacation or compensatory time leave, the time missed due to the death may be designated as bereavement leave, if eligible. The actual leave account charged (i. e., sick, vacation, etc.) can be adjusted through a request from the department director to the Human Resources Staff.
 - d. Bereavement leave is paid in accordance with scheduled work days including premium pay differentials if applicable.
2. Definition of Immediate Family

For the purpose of administering this type of leave, "Immediate Family" is defined as the following persons, as related by blood or law to the employee and/or the employee's spouse: spouse, child, step-child, foster child, grandchild, parent, step-parent, grand or great grandparent, step-grand or step-great grandparent, brother, sister, half-brother, half-sister, step-brother, step-sister, or legal guardian. The definition also includes an individual for whom the employee or the employee's spouse is the legal guardian, and any other family member of the employee or of the employee's spouse who was a full-time resident in the employee's household immediately preceding the death.

3. Proof of Purpose of Leave

Validation of the request is left to the discretion of the employee's department director.

VII. LEAVES OF ABSENCE

Section: VII-E

*E. Military Leave**E. Military Leave*

1. For purposes of interpreting this Section, the general term "Military Leave" includes both Military Leave, as provided for in subsection (2) below, and Military Call, as provided for in subsection (3) below.
2. Military Leave: In accordance with Chapter 115, Florida Statutes, City employees who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or a member of the National Guard, shall, upon presentation of a copy of the employee's official orders, be granted military leave on all days during which the employee is ordered to active duty or inactive duty for training. Such employees shall not be required to work or use accrued personal leave on any day during which they are engaged in training under official orders. Whether continuous or intermittent, such leave with pay may not exceed 240 working hours in any one annual period beginning January 1 and ending December 31. Administrative leaves of absence for additional or longer periods of time for assignment to duty functions of a military character, including assignments under applicable FEMA or USERRA regulations, shall be without pay unless required by federal law.
3. Military Call: City employees who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard, who are ordered to active military duty shall, upon presentation of a copy of the employee's official orders, be granted military leave beginning with the day ordered to duty and ending up to 31 days after the date of release from the military service or from hospitalization continuing after discharge, unless a longer period is required by the FMLA. The first thirty (30) calendar days of such leave shall be with full pay. (Note: Employees would only be compensated for scheduled workdays during this 30-day period.)
4. Scheduled workdays for which Military Leave is taken under the rules outlined in subsections (2) and (3) above will be compensated as Military Leave or Military Call (as applicable) and will not count towards overtime. If an employee approved for Military Leave is scheduled to work a shift which qualifies for premium pay differential, Military Leave hours will be compensated at the appropriate premium pay differential rate.
5. Employees requesting Military Leave shall furnish the department director with competent orders from the appropriate military command as valid evidence of such duty status. These orders shall be kept in the employee's departmental personnel file. Since "competent orders" are not always defined or consistent, department directors should consult with the Human Resources Department for guidance.
6. Any absence in excess of the limits set in subsections (2) and (3) above may, upon request by the employee and approval by the appropriate supervisor, be covered by accrued vacation leave, accrued comp. time or personal holiday. If not requested by the employee or approved by the appropriate supervisor as vacation, comp. time, or personal holiday, such absences in excess of the limits shall be approved as military leave without pay. However, such leave shall be without loss of seniority, time or efficiency rating. Should any portion of the leave be paid leave, the employee shall be entitled to accumulate all benefits granted under paid leave status.
7. Madeira Beach employees called to active military service will not be discharged, reprimanded, or in any other way penalized because of their absence due to such service.

VII. LEAVES OF ABSENCE

Section: VII-E

E. Military Leave

The employee's position may be filled by another employee with substitute or temporary status. Upon separation from the military service, the employee shall be eligible to return to the former position held or a different position in the same class in the same geographic location.

8. Veteran's Leave: A City employee filling a regular established position and who has been rated by the United States Department of Veterans Affairs or its predecessors to have incurred a service-connected disability and has been scheduled by the United States Department of Veterans Affairs to be examined or treated for the disability, shall be granted veteran's leave for such reexamination or treatment without loss of pay or benefits. The maximum veteran's leave authorized for this purpose shall not exceed six (6) calendar days in any one annual period beginning January 1 and ending December 31. Hours used are not counted as hours worked toward overtime.
9. Issues of military leave not addressed in this policy shall be resolved as provided for state employees in applicable provisions of the Florida Administrative Code, Florida Statutes, and federal law.

VII. LEAVES OF ABSENCE

Section: VII-I

*F. Jury Leave**F. Jury Leave*

1. Whenever an employee (full-time, part-time or temporary OPS) is called for jury duty, upon presentation of the summons to his/her supervisor, the employee will be excused from scheduled work days and will receive Jury Leave pay for hours actually performing such duty, but not exceeding their scheduled work hours. The employee will not be compensated by the City for Jury Leave on unscheduled workdays unless the employee requests to substitute a night or weekend shift or portion thereof immediately preceding or following jury duty. The employee keeps any jury fees received.
2. Paid Jury Leave hours are considered as hours worked for all compensation purposes including calculating hours worked towards overtime. The City does not reimburse an employee for meals, lodging, travel, or any other expenses incurred as a juror.
3. Employees are required to report to work if excused from jury duty during their regular working hours. However, if their scheduled shift has been filled or they are not otherwise needed to complete the shift, they may, with supervisory approval, charge the balance of their scheduled work hours to their vacation or compensatory time leave accounts, or take the time off without pay, but only to the extent they are not able to make up regularly-scheduled hours by means of flex time assignment.
4. An employee called to jury duty shall promptly notify his or her department director and provide a copy of the court summons so that arrangements may be made in advance for his or her absence from work. Where so requested by an employee's department director, an employee will provide the director with a statement of actual days spent on jury duty service (such as by memo or e mail) before compensation is approved. Where the Clerk of Court engages in "day prior call in" programs (where unseated jurors call a number to determine whether their presence will be needed the next day), employees who discover their presence at the court house will not be required the following day (but who have not yet been released from duty) shall report to work on that day unless otherwise ordered by the Court. Once an employee is released from duty, he or she shall inform the department and report to work as required in Paragraph 4 above.
5. An employee called to jury duty while on vacation leave shall be allowed jury duty pay for that time served in court which corresponds to his or her regular work day. Such employee shall have his or her vacation leave hours restored provided satisfactory evidence of the time served on jury duty is presented to the department. In the event a holiday occurs during the period an employee is serving on jury duty, he or she shall receive holiday pay for the holiday rather than jury duty pay.
6. Employees who have a normal work schedule outside the regular business day (night or weekend shifts) who are summoned for jury duty during the business day immediately following the scheduled shift shall, if they request, be permitted to be excused from their scheduled work shift (or portion thereof) immediately prior to the jury duty day, in order to rest or otherwise prepare for their jury service. However, such excused period shall not exceed 8 hours and, where an employee requests to be excused from work for a portion or all of a scheduled shift, the employee shall not be compensated for the shift or portion thereof, not actually worked (unless vacation leave is used) but shall only be compensated for jury duty equal to the number of shift hours missed performing such duty. Notwithstanding the general requirement for employees to report to duty should they not be required to spend an entire day of jury duty service, night/weekend shift employees who serve any portion of a day for jury duty without taking time off their regular shift shall be paid for the entire shift, not to exceed the number of work hours scheduled.

VII. LEAVES OF ABSENCE

Section: VII-C

*G. Witness Leave**G. Witness Leave*

1. An employee appearing as a witness for the City in a court case or administrative proceeding within the boundaries of Pinellas County, in which the City is a party, including depositions, post-termination proceedings, mediation or arbitration proceedings, or who is subpoenaed as a witness in a court case or administrative proceeding in which the employee's testimony is related to official City business, is considered to be on duty during such appearance (not including travel time), even during off-duty hours. The employee must remit to the City any witness fee received in connection with such appearance. In the event the litigation is in a forum outside Pinellas County, and the employee attends as a witness for Madeira Beach, he/she shall be entitled to per diem expenses in accordance with Florida Statutes § 112.061. However, in the event the litigation is in a forum outside Pinellas County, and the employee is subpoenaed by a party other than Madeira Beach, the employee may keep any reimbursement of travel expenses, and he/she shall not be entitled to reimbursement of per diem expenses from the City.
2. An employee who voluntarily appears at a court or administrative proceeding, as defined above, on behalf of a party litigating against the City shall be ineligible for witness leave pay by the City for any time spent at such proceeding and must attribute such time to appropriate available leave balances or take leave without pay.
3. An employee who becomes a party in, or appearing as a witness in any case other than those described in Paragraph 1. is considered to be off duty, and must attribute such time to appropriate available leave balances or take leave without pay. Under such circumstances, the employee is entitled to keep any witness fee received. The only exception to this provision is where a City EMT or Paramedic who, while off duty, renders medical aid or assistance at an accident scene or emergency event and by so doing becomes a witness. In such cases, the EMT or Paramedic will be paid as described in Paragraph 1. above.

VII. LEAVES OF ABSENCE

Section: VII-H

*H. Disability Leave**H. Disability Leave*

Note: Family and Medical Leave Act (FMLA) eligibility will be considered and may run concurrently with Disability Leave. (See FMLA Section: VII.L.)

1. Workers' Compensation

- a. An employee who suffers accidental injury arising out of work performed in the course and scope of City employment may qualify for benefits during periods in which the employee is unable to work, as provided in the Workers' Compensation Law, F.S. Chapter 440. Any employee who has suffered an injury or illness while at work is required to report that injury or illness on an appropriate City form as soon as possible. Supervisors or managers who are aware of such illness/injury are required to provide the appropriate form to the employee, to compel the employee to complete it, and to promptly report the incident to the director and risk management.
- b. The City's risk management staff administers all workers' compensation claims and benefits.
- c. An employee receiving workers' compensation wage benefits may, at the employee's election, use available leave balances, in accordance with Section VII.B.7, to supplement those benefits. The supplemental payments plus workers' compensation benefits cannot exceed the employee's regular salary. Time spent by an employee accessing treatment for a workers' compensation covered injury does not count as hours worked toward overtime.
- d. An employee who is released to light duty by the workers' compensation primary care provider may, at the discretion of the department director, be assigned to perform other than his/her regular duties during recuperation. An employee who refuses to accept a light duty assignment will be ineligible for other disability leave, may lose workers' compensation benefits, and will be subject to disciplinary action under Section XI. of the policy.
- e. An employee who refuses to return to work after being released to unrestricted full duty by the workers' compensation primary care provider will be subject to discipline, including discharge, or may be deemed to have abandoned his/her job and resigned.
- f. Nothing in this sub-section eliminates or reduces an employee's rights under Florida law, to appeal workers' compensation decisions, nor should it be read as guaranteeing light duty work. Where no bona fide light duty work is available within the employee's department, the employee may be required to remain out of the workplace until recuperated. While no employee will be retaliated against for having submitted a claim for benefits and will give every opportunity for employees to recover from work-related injuries, the City reserves its right under law to terminate any employee for the inability to perform the essential functions of his or her job where the needs of the City so require. (See Section IX-E).

2. Short-Term Disability Leave/Reasonable Accommodations/Fitness for Duty Exam

- a. All employees of the City are expected to be able to perform the essential functions of the positions they hold. At times, a physical or mental impairment may cause an employee to become unable to perform one or more job functions. In such circumstance, it will be the responsibility of the employee's department, in consultation with the Human

VII. LEAVES OF ABSENCE

Section: VII-H

H. Disability Leave

Resources Department, to work with the employee to identify reasonable accommodations, which will permit the employee to perform all essential job functions. This process may take more than one try, depending on the specific facts of the case. Though the employee's input on accommodations should be given weight, an employee is not entitled to demand a particular accommodation if the department wishes to provide a different accommodation, so long as the accommodation will permit the employee to perform his or her job functions. The Human Resources Department, with appropriate advice from the City Attorney's Office, should be consulted where any questions arise over the identification of accommodations.

- b. A department director who, through appropriate medical documentation or written representations from the employee, becomes aware that an employee is unable to perform the functions of his/her job due to illness or injury, will explore with the employee any workplace accommodations which may permit the employee to perform the affected job functions. In conjunction with this accommodation search, or in instances where the facts reveal that an accommodation is not possible or legally unreasonable, the department may require the employee to submit to a fitness for duty medical examination by a physician named and paid for by the department. The City's inquiry is limited to whether the employee is able to perform job-related functions and if not, the probable duration of the disability and expected return to full duty. If the medical examination confirms that the employee is unable to perform the essential functions of his/her job with or without reasonable accommodation, the employee may request to be placed on short term disability leave for up to thirty (30) calendar days. The granting of such request is at the discretion of the department director. **NOTE:** Outside of a worker compensation claim or a City-paid fitness for duty examination, department employees, including directors, should NOT be directly communicating with healthcare providers of employees. Instead, all such communication will be made through the employee to the provider in writing.
- c. At the outset of short-term disability leave, the department director informs the employee in writing of the maximum duration of the leave and that, at the conclusion of that time period, the employee is expected to return to unrestricted full duty work, if he/she is able to perform the essential functions of the job with or without reasonable accommodation.
NOTE: The granting, denying, or administration of short-term disability leave under this rule relates only to the ability to remain on the City's payroll as an employee and does not constitute, and is in no way related to, any disability insurance policy or other benefit to which an employee may be entitled on becoming disabled, whether such policy or benefit is issued through a City insurance program or via a private insurer.
- d. An employee placed on short-term disability leave is required to use sick leave hours. If sick leave is exhausted, the employee may request use of vacation, compensatory time, or personal holiday (must be used as a whole day) credits. If the employee uses all such leave or does not have enough leave to cover the duration of the short-term disability leave period, the employee may request to be placed on leave without pay for the balance of the short-term disability leave period.
- e. If, at the conclusion of the short-term disability leave, the employee is still unable to perform the essential functions of his/her job with or without reasonable accommodation, the following options are available:

VII. LEAVES OF ABSENCE

Section: VII-H

H. Disability Leave

- (1) The department director may require the employee to submit to another medical examination as described in Section VII.I.2.a. If the examination reveals that the employee is able to perform the essential functions of the job with or without reasonable accommodation, the employee must return to work or face discharge in accordance with Section XI-B. of the Policy, or be deemed to have abandoned his/her position and resigned.
 - (2) The employee may request an extension of short-term disability leave for another thirty (30) calendar day period not to exceed a total of three (3) consecutive months. The department director may require the employee to produce medical certification indicating that he/she remains unable to perform the essential functions of the job during these periods. Such requests may be granted under exceptional circumstances, depending on the operational needs of the department.
 - (3) The department director may refer the employee to the Alternate Employment Program, as outlined in Section IX-F of this Policy.
 - (4) The department director may accept the employee's voluntary written resignation for reason of inability to perform assigned duties.
 - (5) The employee may be non-disciplinarily separated for inability to perform.
- f. While under short-term disability leave without pay, it is the employee's responsibility to pay any group health and life insurance premiums that are normally paid by the employee. Such monthly premiums must be paid by the employee prior to the effective month of coverage; otherwise, coverage may terminate.

VII. LEAVES OF ABSENCE

Section: VII-

*I. Domestic Violence Leave**I. Domestic Violence Leave*

1. Pursuant to Florida Statutes § 741.313, an employee who has been employed for 3 or more months is permitted to request up to 3 working days of paid or unpaid leave during any rolling 12 month period if the employee, or a family or household member of the employee is the victim of domestic violence, where such leave is taken to:
 - a. Seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
 - b. Obtain medical or mental health care for the employee or family or household member to address injuries resulting from an act of domestic violence;
 - c. Make the employee's home secure from the perpetrator of domestic violence or to seek new housing to escape the perpetrator; or
 - d. Seek legal assistance or attend court proceedings arising from an act of domestic violence.
2. Domestic violence leave shall be coded as paid vacation or sick leave (depending on whether the reason for taking the leave is to seek medical treatment or not) to the extent the employee has sufficient balances in his or her relevant leave account. Otherwise, the leave shall be coded as no pay.
3. Except in cases of imminent danger to the health or safety of the employee or family or household member, an employee seeking domestic violence leave must provide appropriate advanced notice of the leave request, and may be required to produce sufficient documentation to support the requested leave. To the extent an employee provides personal identifying information related to a request for domestic violence leave, such information shall be maintained by the department as confidential and exempt from public records disclosure, pursuant to Florida Statutes § 741.313(4)(c)(2).
4. Employees who feel they are not being granted domestic violence leave should contact a Human Resources Staff to determine eligibility and obtain a suitable resolution to the matter.

VII. LEAVES OF ABSENCE

Section: VII-

J. Leaves of Absence Without Pay

J. Leaves of Absence Without Pay

Note: *Family and Medical Leave Act (FMLA) eligibility will be considered and may run concurrently with Leaves of Absence Without Pay which are unrelated to judicial proceedings. (See FMLA Section: VII.L.)*

1. Leaves of absence without pay will only be allowed upon depletion of applicable accrued leave balances. The exception to this would be an employee who requests a leave of absence without pay to supplement military leave.
2. The decision to grant leaves of absence without pay is a matter of administrative discretion and must be approved by the department director.
3. Leaves of absence without pay may be approved up to a maximum of three (3) months.
4. While under a leave of absence without pay, any group health and life insurance premiums that are normally paid by the employee must continue to be paid by the employee. Applicable monthly premiums must be paid by the employee prior to the effective month of coverage; otherwise, coverage will be canceled at the beginning of the delinquent period.

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)**K. Family and Medical Leave Act of 1993 (FMLA)**

Note: This section of Policy is intended to set guidelines only and does not represent the Family and Medical Leave Act of 1993 in its entirety. FMLA procedures may differ from other types of City leave but FMLA does not provide any additional paid leave accruals over the City's other leave awards. (If further information is needed, contact the Human Resources Department.) FMLA use will be tracked concurrently with other types of leave where the reason for the leave is an FMLA-qualifying event. There are two general FMLA types, Basic Leave (see Section VII.L.1, et seq.) and Military Family Leave (see Section VII.L.15).

1. Basic FMLA Eligibility and Qualifying Events

The Family and Medical Leave Act (FMLA) is not to be considered as a separate or distinct form of leave. Instead, it is a law which provides for protection for employees who take leave from work for a covered reason, regardless of the pay code used. The FMLA authorizes an employee with 12 months of City service, who has worked at least 1,250 hours during the 12 months preceding commencement of leave, a maximum of 12 weeks of FMLA, job-protected, leave during a 12-month period. The 12 month-period is based on a rolling 12-month period beginning with the most recent day upon which coverage is requested and counting back 12 months. Basic FMLA leave may be taken for the following reasons:

- a. The birth of a son or daughter of an employee and to care for the newborn child;
- b. The placement of a son or daughter with an employee for adoption or foster care (entitlement to leave for birth, placement for adoption or foster care of a son or daughter expires 12 months from the date of the birth or placement of the child);
- c. In order to care for the employee's spouse, son, daughter or natural or adoptive parent with a serious health condition.

For purposes of this policy, definitions of spouse, son, daughter or parent are:

- (1) Spouse means a husband or wife as defined or recognized under State law for purposes of marriage in the State where the employee resides. (Note: Florida does not recognize common law marriage.)
 - (2) Parent means a biological parent or an individual who stands or stood "in loco parentis" to an employee when the employee was a son or daughter as defined in (3) below. This term does not include parents "in law".
 - (3) Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing "in loco parentis" who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability."
- d. A serious health condition which renders the employee unable to perform one or more functions of the employee's position.

2. Serious Health Condition

A "serious health condition" means an illness, injury, impairment, or physical or mental

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)

condition that involves either:

- a. In-patient care (i. e., an overnight stay) in a hospital, hospice facility, including any period of incapacity (for purposes of this policy defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom), or any subsequent treatment in connection with such in-patient care; or
- b. Continuing treatment by a health care provider, which includes any one or more of the following:
 - (1) A period of incapacity (i. e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from) of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - (a) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
 - (2) Any period of incapacity due to pregnancy, or for prenatal care.
 - (3) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition.
 - (4) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective.
 - (5) Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
 - (6) FMLA leave for a serious health condition may be intermittent under the following circumstances: For intermittent leave or leave on a reduced leave schedule, there must be a medical need for leave (as distinguished from voluntary treatments and procedures) and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule. The treatment regimen and other information described in the certification of a serious health condition meets the requirement for certification of the medical necessity of intermittent leave or leave on a reduced leave schedule. Employees needing intermittent FMLA leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt the

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employer's operations. In addition, the employer may assign an employee to an alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced leave schedule.

- c. When leave is taken after the birth, or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the employer agrees. However, the employer's agreement is not required for leave during which the mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.

3. Medical Certification

- a. The employer may require that an employee's leave to care for the employee's seriously ill spouse, son, daughter, or parent, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position, be supported by a medical certification issued by the certified health care provider of the employee or the employee's ill family member.
- b. When leave is foreseeable and at least 30 days-notice has been provided, the employee should provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the employer within the time frame requested by the employer (which must allow at least 15 calendar days after the employer's request), unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. Failure to provide the appropriate healthcare certifications after having been requested to do so may result in disciplinary action, and/or in the delay or denial of approval of FMLA leave.
- c. In accordance with Department of Labor (DOL) rules, if the employer has reason to doubt the validity of the medical certification, the employer may request, at the employer's expense, a second or third health care provider's opinion for leave taken because of a serious health condition. The employer may also require subsequent recertification from the employee's health care provider on a reasonable basis, in accordance with DOL rules, which normally will not be more than every thirty (30) days. No second or third opinion on recertification may be required.

4. Spouses Working for the Same Employer

If both spouses work for the same employer (Board of Commissioners), the combined leave shall not exceed 12 weeks in the 12-month period, if the leave is taken:

- a. for birth of the employee's son or daughter or to care for the child after birth;
- b. for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement; or
- c. to care for the employee's parent with a serious health condition.

5. Health Insurance Premiums

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(Note: Any questions regarding employee health insurance premiums while under FMLA should be directed to the policy administrator.)

- a. During FMLA leaves of absence, the employer will continue to pay its portion of the health insurance premiums and maintain the employee's coverage under the health plan in the same manner as if the employee had been continuously employed during the entire leave period, provided the employee continues to pay his or her share of the premiums normally paid by the employee.
- b. Should the employee fail to continue to pay his or her share of the premiums, notices of proposed insurance cancellation and the opportunity to pay the premium as required by the FMLA will be provided before cancellation.
- c. Employees will be advised well in advance of any changes in premiums so they will have ample opportunity to make arrangements to continue to pay their share of the premiums during the Family Medical Leave. To avoid required reimbursement, appropriate certification from a health care provider may be required if the employee does not return to work because of a serious health condition.

6. Benefit Accruals

- a. During FMLA leave, the FMLA does not require accrual of employment benefits, such as vacation leave, sick leave, etc. Accordingly, during unpaid FMLA leave, accrual of benefits shall be on the same basis as for any other unpaid leaves of absence. Paid FMLA leave will continue to accrue vacation, sick, etc., on the same basis as other types of paid leave. With respect to pension and other retirement plans, any period of unpaid FMLA leave shall not be treated as or counted toward a break in service for purposes of vesting and eligibility to participate. Employment benefits to which an employee may be entitled on the day on which the Family and Medical Leave of absence begins will not be lost because of such leave, except for those paid leave days substituted for leave taken under this policy.
- b. Employees on unpaid FMLA leave are to be treated as if they continued to work for purposes of changes to benefit plans. They are entitled to changes in benefits plans, except those which may be dependent upon seniority or accrual during the leave period, immediately upon return from leave or to the same extent they would have qualified if no leave had been taken.
- c. Employees will not be disqualified from bonuses based upon safety for which they qualified prior to leave because of the taking of FMLA leave.

VII. LEAVES OF ABSENCE

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K. Family and Medical Leave Act of 1993 (FMLA)**7. Relationship to Paid Leave**

- a. Employees will be required to substitute paid sick leave for an equivalent portion of FMLA leave for a serious health condition. (Note: If sick leave is used for a family member's serious health condition, a maximum of eighty (80) hours can be used for all family sick, including FMLA, during the calendar year and must be coded appropriately on the time card).
- b. If eligible sick leave is exhausted, the employee will be required to substitute any other available paid leave sources, as outlined in Section VII.B.7. If all eligible leave balances are exhausted, any FMLA leave entitlement remaining will be coded as FMLA, no-pay status. (Note: Compensatory time may be used during the FMLA leave period and will be charged against the FMLA leave entitlement.)
- c. To the extent the City does not provide paid sick or family sick for a condition covered by FMLA, neither this policy nor the FMLA entitles the employee to paid leave. However, under paragraphs a. and b. above, paid leave and the FMLA leave will run concurrently.
- d. Workers' Compensation or Short-Term Disability-based leaves, whether paid or unpaid, will run concurrently with FMLA leave when the reason for the leave is an FMLA qualifying event.
- e. To the extent an event occurs which makes an employee eligible for an alternative form of leave not related to absence due to covered medical reason (for instance family death and ensuing need for bereavement leave), the employee's use of such leave will not be counted as an FMLA absence.

8. Return from Family Medical Leave

- a. With the exception of certain "key" employees (salaried FMLA-eligible employees among highest paid 10 percent of all employees employed by the employer), those who return to work from FMLA leave within or on the business day following the expiration of the leave are entitled to return to their job or a position with equivalent benefits, pay and other terms and conditions of employment. Designation of "key" employee status and whether such status will affect the employee's right to reinstatement will be made at the time the employee gives notice of the need for leave, or at the commencement of leave, whichever is earlier, or as soon as practicable thereafter if such determinations cannot be made at that time.
- b. Failure to return to work upon completion or expiration of FMLA-protected leave could result in termination of employment, in accordance with FMLA rules and regulations and the Madeira Beach Personnel Policy, Rules, and Procedures Manual.

9. FMLA Procedures and Forms:

Department directors, managers, supervisors and personnel liaisons shall review, be familiar with, and make use of procedures applicable to requesting, qualifying for, and approval of FMLA coverage (Note: *all non-automated FMLA-forms will be posted on the City i-net for*

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employee use by Human Resources). Requests for FMLA-covered leave must be submitted through use of the City's leave request system at least thirty (30) days before the leave is to begin if need for leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member. If thirty (30) days-notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, change in circumstances, or medical emergency, notice must be given as soon as practicable. (Note: Notwithstanding any requirement to submit leave requests via the established leave request system, verbal notice, or the City's knowledge of the need for FMLA qualified leave, is sufficient to trigger the obligations under the FMLA.) Once the department has acquired knowledge that the leave is being taken for an FMLA eligible reason, whether from the employee, a health care provider or some other reliable source, the department will notify the employee, on an official Employer Response Form signed by the director, that the leave is being designated as FMLA qualified and whether it will be paid or unpaid leave (according to whether or not the employee has chargeable accrued balances.)

10. Counting FMLA Leave

To the extent allowed by law, in the event an absence is for a reason covered by the FMLA, the City will designate it as Family Medical Leave-protected whether the employee has applied for it or not. When this occurs, the employee will be promptly notified as described above. Tracking of FMLA leave is the responsibility of the employee and the employee's department. FMLA is specific to the individual employee, not to the particular health condition or family event. Therefore, employees should be aware that the maximum 12 week protection period will be inclusive of all covered conditions and events which happen within the applicable 12 month period. Additionally, where the City obtains unequivocal confirmation, either from the employee or a health care provider, that the employee does not intend to return, or the employee's medical condition will prevent the employee from returning to full duty permanently, or for a significant or indefinite extended period past the FMLA period, the City may terminate employment even where the 12 week period has not yet run, and the employee's entitlement to continued leave, maintenance of health benefits, and reemployment will cease.

11. Coordination

Absences due to sickness or injury, whether paid or unpaid, including absences for work-related sickness or injury that are also covered by the FMLA, will be considered for FMLA leave.

12. Employee Obligations

During FMLA leave, employees must periodically report on their medical status and intent to return to work. Upon taking such leave, the employee will be advised of the reporting requirements.

13. Medical Certification Upon Return to Work

An employee who has taken FMLA-covered leave for his/her own health condition (whatever

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pay code) may be required to obtain certification from the employee's health care provider, based on a job and FMLA condition-related fitness-for-duty exam at the employee's expense, that the employee is able to perform the essential functions of his/her job before being allowed to return to work.

14. Failure to Cooperate

Employees who fail to provide information, which Madeira Beach is allowed by law to require the employee to provide, may have their leave delayed, or not counted as FMLA leave, and be subject to discipline up to and including discharge as permitted by law.

15. FMLA Military Family Leave.

In addition to the FMLA-protected categories above, Congress's 2007 and 2010 FMLA military family leave amendments in the 2013 Final Rule provide that employees eligible for FMLA leave are entitled to leave for a covered family member's service in the Armed Forces under the following circumstances:

- a. Qualifying Exigency Leave. Up to 12 weeks of unpaid leave in any 12 month period for a qualifying exigency arising out of a covered employee's spouse, son, daughter, or parent's Armed Forces (including members of the National Guard or Reserves) covered active duty or notification of an impending call or order to active duty in the support of a contingency operation; or
- b. Military Caregiver Leave. Up to 26 weeks of unpaid leave in a single, 12 month period for an employee to care for his or her spouse, son, daughter, parent, or next of kin, a service member/covered veteran, recovering from a serious injury or illness suffered while on active duty in the armed forces. FMLA leave taken for family military leave runs concurrent with other leave entitlements, as allowed under federal, state and local law.

Qualifying exigencies may arise when the employee's spouse, son, daughter or parent who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty.

Qualifying exigencies categories.

- Issues arising from the military member's short notice deployment (within seven or less days of notice)
- attending military events and related activities
- to arrange for childcare and related activities
- issues related to care of the military member's parent who is incapable of self-care
- making or updating financial and legal arrangements
- Attending counseling

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K. Family and Medical Leave Act of 1993 (FMLA)

- Rest and Recuperation leave during deployment (up to 15 calendar days)
- Post-deployment activities (within 90 days of the end of the military member's covered active duty)
- Any other event that the employee and employer agree is a qualifying exigency

Should an employee request FMLA military family leave for a qualifying exigency, please consult with Human Resources and the City Attorney's Office for additional guidance.

Contingency operation. A "contingency operation" means a military operation that is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or results in the call or order to, or retention on, active duty of members of the uniformed services during a war or during a national emergency declared by the President or Congress.

Covered active duty is duty during deployment of the covered service member of the Armed Forces to a foreign Country.

For members of the National Guard and Reserves, covered active duty is duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.

Deployment to a foreign country means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the United States. It also includes deployment to international waters.

Service member is a current member of the Armed Forces, including a member of the National Guard or Reserves who is receiving medical treatment, recuperation, or therapy, or in outpatient status, or is on the temporary disability retired list for a serious injury or illness.

Covered veteran is an individual who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between enactment of the FY 2010 NDAA on October 28, 2009 and effective date of the 2013 Final Rule is excluded in the determination of the five-year period for covered veteran status.

The covered veteran is undergoing medical treatment, recuperation, or therapy for a serious injury or illness if he or she:

- was a member of the Armed Forces (including a member of the National Guard or Reserves);
- was discharged or released under conditions other than dishonorable; and
- was discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for him or her.

Serious injury or illness. A serious injury or illness means an injury or illness that is/was

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incurred by the covered service member in the line of duty on active duty in the Armed Forces (including National Guard and Reserves) and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

Serious injury or illness for a veteran means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. A continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank or rating; or
2. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Services Related Disability rating (VASRD) of 50% or greater, and the need for military caregiver leave is related to that condition; or
3. A physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or
4. An injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

In order to obtain military family leave to care for a family member who is recovering from an injury or illness suffered while on active duty in the armed forces, an employee must demonstrate a qualifying injury or illness is suffered by a covered family member who is a service member/veteran of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness.

The term "outpatient status" means the status of a member/veteran of the armed forces assigned to a military medical treatment facility as an outpatient, or a unit established for the purpose of providing command and control of members of the armed forces receiving medical care as outpatients. The illness or injury must be serious enough to render the person unable to perform the duties of the member's office, grade, rank, or rating.

Next of kin. "Next of kin" is defined as the nearest blood relative to that individual.

Substitution of paid leave for military family leave. For leave taken for a qualifying exigency or for injured serviceperson caregiver leave, an eligible employee will be required to use available paid leave balances in the same manner as the City requires for other FMLA leave taken as noted below:

Qualifying Exigency Leave: Vacation, then Comp, then No Pay

Military Care Giver Leave: Family Sick (up to yearly max), then Vacation, then Comp, then No Pay.

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Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)

Married employees. When both husband and wife work for the City, the aggregate amount of leave that can be taken by the husband and wife is 26 weeks in a single 12 month period for serviceperson caregiver leave, or a combination of active duty leave and serviceperson caregiver leave. The aggregate number of workweeks of leave to which both that husband and wife can take for only active duty leave is 12 weeks.

Notice and certification. If the need for leave is foreseeable, the employee must provide such notice to the City as is reasonable and practicable. Employees requesting leave under this section shall provide certification for the need for the leave on such forms as may be developed in the Secretary of Labor's final regulations, as modified by the City.

Calculating the 12-month period. Leave for a qualifying exigency is counted as the City calculates other categories of FMLA leave. Leave to care for a covered spouse, son, daughter, parent, or next of kin recovering from an injury or illness suffered while on active duty in the armed forces is a one-time benefit and as such, the 26 weeks are only available during a single, 12-month period. The City will begin counting the 12-month period on the first day of leave taken to care for the injured or ill service person.

Note: *This FMLA military family leave policy supplements the City's main FMLA policy and provides general notice of employee rights to such leave. Except as discussed above, an employee's rights and obligations to FMLA military family leave are governed by the City's main FMLA policy and application/approval procedures.*

VII. LEAVES OF ABSENCE

Section: VII-L

*L. Judicial Leave**L. Judicial Leave***Leaves of Absence Related to Judicial Proceedings**

1. If an employee is arrested for, and/or charged with, an alleged violation of a federal or State law, county or municipal ordinance, or an order of a court, and/or becomes incarcerated for such reason, the concerned department director shall investigate as necessary for the purpose of determining whether to take disciplinary action and/or whether to place the employee on judicial leave of absence pending judicial proceedings. The investigation, review and action options shall be coordinated with the Human Resources Department. The decision to place an employee on leave of absence is discretionary with the department director and subject to review by the Human Resources Staff. Any decision to place an employee on judicial leave shall be final and not subject to appeal through any grievance process.
2. While in some cases the City may elect to await the outcome of judicial proceedings prior to discipline action, the City reserves the right to make its own determination regarding the facts of the case and whether its personnel rules were violated, regardless of the outcome of any criminal proceedings.
3. An employee not incarcerated while awaiting disposition of a charge may be permitted to work if it is determined by the department director that allowing the employee to work will not adversely impact City operations or citizen good will, or jeopardize the well being of other employees or citizens.
4. Judicial Leave is not a right but an option which may be exercised in the sole discretion of the City and shall be unpaid. However, an employee must use all of his or her Vacation Leave prior to any unpaid period. Nothing herein should be interpreted as preventing the City from proceeding to terminate or otherwise discipline an employee at any time after a charge or arrest where the City possesses adequate information upon which to base its decision.

VIII. ABSENCE WITHOUT AUTHORITY

Section: VII

VIII. ABSENCE WITHOUT AUTHORITY

None of the provisions of this Policy shall be interpreted or construed to circumvent or mitigate the rule that: Any City employee absent from his/her position of employment without approval of competent authority for a period of two (2) consecutive workdays/shifts is considered to have resigned without notice.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-A

A. Resignation

IX. NON-DISCIPLINARY SEPARATIONS FROM CITY EMPLOYMENT**A. Resignation**

1. Resignation is the separation of an employee from City employment through submission of a written or verbal notice of intent to resign. An employee's resignation shall be deemed as accepted by Madeira Beach the moment it is tendered regardless of any stated effective date, and no supervisor, manager or director has the authority to reject or permit an employee to rescind a resignation without the express prior authorization of the City Manager.
2. An employee who wants to leave City employment in good standing must notify his/her immediate supervisor at least two (2) weeks prior to leaving. The supervisor, in turn, will notify the department director. The department director may allow the employee, under extenuating circumstances, to give less than two (2) weeks' notice and still resign in good standing. In the event the department director, in consultation with the Human Resources Staff, determines that it would be in the City's best interest to deem a resignation notice an immediate resignation or shorten the resigning employee's notice, he/she may do so.
3. Upon an employee's resignation notice, any interest in continued employment ceases, and the employee is not entitled to any due process hearing.
4. Employees who resign from City employment without two (2) weeks' notice (unless otherwise approved by the department director), may not be recommended for rehire, nor be eligible for re-employment, with the City for one (1) year following their date of termination unless approved by the Human Resources Department.
5. Each City employee separating from City employment is requested to complete an Employee Separation Survey. The purpose of this survey form is to provide management with input the employee may have about his/her job and the City. The completed form is maintained by the Human Resources Department.
6. An employee who fails to report to work for two (2) consecutive workdays/shifts without approval of competent authority is considered to have resigned without notice. (See Section VIII., Absence Without Authority.)
7. An employee who takes any step to run for a Madeira Beach Board of Commissioners seat, including opening a campaign account for that purpose, filing qualifying paperwork with the Supervisor of Elections, or conducting a press conference or issuing a press release confirming his or her candidacy, shall be deemed to have resigned his or her position with Madeira Beach as of the close of business of the date any of these actions are first taken. Nothing herein shall be read or interpreted as preventing an employee from standing for election for any other elective public office or applying for appointment to any appointive public office.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-B

B. Retirement

B. Retirement

1. None of the provisions of this Policy can be construed or interpreted to alter or impair the City's retirement plan.
2. There is no mandatory retirement age for employees of Madeira Beach unless otherwise provided by Florida Statute or a pension plan provision. Continued employment is determined by the employee's ability to perform satisfactorily in the job classification assigned.
3. Employee assistance and retirement information is available from the Human Resources Staff as needed. Department directors should urge their employees to contact the Human Resources Department at least ninety (90) days in advance of the anticipated retirement date, to allow time to process retirement benefits.
4. Employees who have retired from City employment may be re-hired by the City in any position and under such terms and conditions as the City may offer, consistent with policies or procedures applicable at the time of application.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-C

C. Death

C. Death

1. Separation is effective on the date the death occurs.
2. All compensation due the employee at separation is paid to the beneficiary, surviving spouse, or to the estate of the employee, as determined by law or by executed forms in the employee's official personnel file.
3. Department directors must immediately report an employee's death, regardless of cause, to the Human Resources Staff and initiate the appropriate separation paperwork forthwith.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-D

*D. Layoff***D. Layoff**

1. It is the intent of the Board of Commissioners to provide stable employment to members of Madeira Beach Government. However, there may be occasions which necessitate a reduction in the City work force.
2. A reduction of work force may be instituted in cases of bona fide budget reduction, lack of work, lack of funds, program or grant discontinuation, technological replacement, or any other significant organizational change or condition of serious financial distress that may occur. When such conditions exist, the department director may, after coordination with the Human Resources Staff and approval by the City Manager, proceed to lay off an employee or employees. To the extent a reduction in force is necessitated by the City Manager's proposed budget, layoff decisions shall be consistent with the programs, services or operations to be reduced or eliminated by such budget.
3. A reduction in work force may be made by work site assignment and/or specific function performed and/or unique skills or qualifications held and/or by general job classification and/or by pay grade within the affected department, or division or operation thereof. Layoffs which are targeted solely at reduction of salary costs must fairly target the foregoing employee classifications in a roughly uniform way so as not to cause the layoff of a more senior worker where a more junior employee performing the exact same duties and working at the same location is earning more.
4. The duties previously performed by a laid-off employee may be reassigned to other employees already working in positions in appropriate job classifications.
5. The Human Resources Department, with appropriate advice from the City Attorney, shall review any reduction in force proposals prior to their implementation so as to review such proposals to minimize negative impacts on prior equal employment gains in impacted work units, and advise the City Manager on any labor law implications.

6. Layoff Priority

- a. In the event of layoff, primary consideration will be on the factors set out in Section IX.D.3. Thereafter, the order of layoff shall begin with temporary then probationary employees. The next order of layoff shall begin with the employee who has the least seniority (see Section IX.D.6.b.).
- b. Seniority shall be determined by City-wide continuous service. Rules of continuous service shall be observed in deciding the date of last hire for the purpose of seniority determination.
- c. If two or more individuals should have the same hire date for determining seniority, the employee with the most disciplinary and/or counseling notices shall be laid off first.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-D

D. Layoff

- d. In accordance with prevailing veteran laws, including Chapter 295, Florida Statutes, certain veterans and spouses of certain veterans may be eligible for preference in retention when layoffs are necessitated. Human Resources shall review layoff proposals to ensure compliance with such laws.
7. City employees who are scheduled for layoff shall not have "bumping rights" to other positions in any City department. However, where the City is able to forecast a layoff in advance, the City may establish a time period wherein employees subject to a pending layoff will be permitted to apply for open positions. During this period, such employees shall, when being considered by interviewing departments, receive preference in hiring where they are otherwise equally qualified with other candidates. Nothing herein, however, is intended to require the hiring of any such employee by a department where another candidate is clearly more qualified for the position.
8. Employees scheduled for layoff may, if offered by the City, elect to accept transfer to vacant City positions for which they are qualified. Such transfer offers may be made at the discretion of the City and must be accepted by the employee within 3 days of receipt of the written offer. The employee's pay rate would be adjusted in accordance with Policy for any other City employee changing positions within the City. Employees who accept a transfer offer under this paragraph shall not be further entitled to any reinstatement to their prior position.
9. However, employees on layoff status with no offer of transfer, may for a period of twelve (12) months from the date of layoff apply and receive preference in interviewing for any job for which they are minimally qualified.
10. Human Resources Department shall ensure Employee Health Benefits is made aware of any layoffs to ensure proper COBRA notices are provided.

11. Reinstatement

- a. Laid-off employees, who have not accepted an offer of transfer to a different City position, have priority for reinstatement, according to seniority, in jobs within their classifications at the time of separation for twelve (12) months following the effective date of layoff. Laid-off employees reinstated to those classifications within the twelve (12) month period shall have their previous dates of hire restored (including vacation and sick leave accrual rates and any unpaid sick leave balances in effect at the time of layoff). However, recalled employees may not be offered the rate of pay they had prior to their layoff, where fiscal conditions require a reduced rate for the position. At the end of the twelve (12) month period, all laid-off employees' rights associated with reinstatement are concluded. The City offers reinstatement to laid-off employees by certified mail to the last known address. (Note: It is the laid-off employee's responsibility to keep the Human Resources Department notified of any change of address, if he/she is interested in reinstatement.)

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-D

D. Layoff

- b. Reinstatement is offered to laid-off employees provided they are qualified (medical certification may be required) to perform the essential duties of the job, and are in compliance with current pre-employment requirements including the City's Drug Free Workplace Program. A laid-off employee, who is temporarily unable to accept an offer of reinstatement due to medical certification, may request a delay in starting work, not to exceed thirty (30) calendar days.
 - c. The return to work date for a laid-off employee, who is qualified to return to work and compliant with all pre-employment requirements, is determined by the City's requirements, but the employee must be available for work no later than two (2) weeks following notice or his/her seniority will be forfeited and he/she is no longer considered eligible for reinstatement under the Layoff procedures.
 - d. If the employee fails to report to the Human Resources Staff within three (3) business days after receipt of the certified notice or if the employee does not meet all current pre-employment requirements, his/her seniority is forfeited and he/she is no longer considered eligible for reinstatement under the Layoff procedures.
12. Employees who are scheduled for layoff do not have the right to submit appeals or complaints in regard to layoff actions, except for reasons of alleged violation of these policies and procedures governing such reduction of work force, or for alleged acts of illegal discrimination. The City Manager may elect to offer separation agreements to employees subject to layoff. Such agreements should be reviewed by the City Attorney's Office prior to being offered.
 13. Employees who are scheduled for layoff should contact Human Resources to discuss their medical coverage and other health benefits.
 14. The Human Resources Department shall make all reasonable efforts to provide outplacement assistance and services to laid-off employees.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-L

*E. Disability Separation/Reasonable Accommodation**E. Disability Separation/Reasonable Accommodation*

1. All employees of the City are expected to be able to perform the essential functions of the positions they hold. At times, a physical or mental impairment may cause an employee to become unable to perform one or more job functions. In such circumstance, it will be the responsibility of the employee's department, in consultation with the Human Resources Department, to work with the employee to identify reasonable accommodations which will permit the employee to perform all essential job functions. This process may take more than one try, depending on the specific facts of the case.
2. Though the employee's input on accommodations should be given weight, an employee is not entitled to demand a particular accommodation if the department wishes to provide a different accommodation, so long as the accommodation will permit the employee to perform his or her job functions. The Human Resources Department and the City Attorney's Office should be consulted where any questions arise over the identification of accommodations.
3. If no reasonable accommodation can be identified, or if attempts at accommodations fail, or if the employee declines to accept reasonable accommodations offered by the department, then the department director, prior to separation, may refer the employee to the Alternate Employment Program (AEP). Such referrals shall be in writing and shall review the accommodations attempts made by the department.
4. An employee may be terminated when he/she is unable to perform the essential functions of the job because of a physical or mental impairment and where no reasonable accommodation has been identified or accepted. Separations based on the employee's inability to perform the essential functions of the job under the provisions of this section will not be considered disciplinary terminations.
5. If the inability to perform the job occurs due to an on-the-job injury, the employee should be given a reasonable opportunity to reach maximum medical improvement (MMI) as stated by the Workers' Compensation doctor before being evaluated for mandatory participation in the Alternate Employment Program (AEP) unless such inability has existed for more than 12 weeks in the immediate prior 12 month period. The point in time at which an employee is considered for discharge for an illness or off-duty injury will be dependent upon the needs of the department in conjunction with the availability of a definitive recovery prognosis. Nothing herein prohibits discharge for inability to perform duties, regardless of the source of illness or injury, where the continued non-performance of essential job functions by the employee results in an extreme hardship for the City department or operation involved.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM COUNTY EMPLOYMENT**

Section: IX-1

F. Alternate Employment Program (AEP)**F. Alternate Employment Program (AEP)**

1. When the City receives information an employee has medical restrictions/limitations that appear to prevent the employee from performing the essential functions of the job and the department cannot provide or the employee does not accept reasonable accommodation(s) which would allow the performance of the essential job functions, the department director shall submit the appropriate referral form to the Human Resources Staff indicating the information received regarding the restrictions and how those restrictions prevent the employee from performing the essential job functions. The department director shall also indicate what efforts were made to identify reasonable accommodations; what accommodations were suggested by the employee; and why any potential accommodations were rejected by the department as an undue hardship. The Human Resources Staff will determine if the rationale are sufficient. If not, an independent medical and/or vocational evaluation may be arranged to further explore the potential for an accommodation.
2. After the Human Resources Staff receives sufficient notice from a physician and/or vocational rehabilitation counselor and the department that the employee is restricted in such a manner that he/she can no longer perform essential job functions, an HR representative will meet with the employee and over a 90 day period assist him/her in searching for suitable alternate employment. The 90 day period shall be consecutive calendar days from the time the employee is notified in writing of acceptance into the AEP. Where deemed necessary by the Human Resources Staff, a vocational rehabilitation counselor may be utilized in the search for alternate employment.
3. The HR representative shall maintain a list of all vacancies which occur during the 90 day period and evaluate the requirements for each vacant position vis-a-vis the individual's qualifications and capabilities. Employees in the AEP can be considered for any currently-vacant budgeted position which he/she would be otherwise qualified for, either with or without an accommodation. The HR representative will refer the employee to the department where an opening exists for an interview provided the employee executes an application, meets the qualifications for the position and satisfies all requirements with respect to testing, licensing and certification.
4. If suitable alternate employment has not been arranged within the 90 day period following the employee's entrance into the AEP, the HR representative will notify the Human Resources Staff that no suitable alternate position was identified or accepted. The Human Resources Staff will notify the employee's department director that the employee may be discharged after an exit interview, if possible, with the Human Resources representative and the department director.
5. The Human Resources Department, if at all possible, shall schedule an exit interview with the employee in order to inform the employee that the discharge is not a disciplinary termination, that all vacancies in the City have been examined and there is no suitable alternate employment available at that time. If the employee should recuperate to the extent that he/she can perform the essential functions of the job within nine (9) months of termination under this policy, he/she may contact the Human Resources Department and the employee's former Director may authorize reinstatement upon receipt of acceptable evidence that the employee can satisfactorily perform the job, providing there is a vacancy. The individual may continue to check the City job postings and may apply for other positions within the City as they occur. Nothing in this policy should be construed as creating a right to transfer to a different position, a right to reinstatement after termination under this policy, nor a right to any particular wage rate upon reinstatement.

X. CODE OF ETHICS FOR OFFICERS AND EMPLOYEES

Section: X

X. CODE OF ETHICS FOR OFFICERS AND EMPLOYEES

1. Officer and Employee Ethics: Officers and employees are required to conduct the affairs of the City in an ethical manner in accordance with the Code of Ethics for Public Officers and Employees (Florida Statutes 112.311 - 112.326), including, but not limited to, the following:
 - a. Duties and obligations will be discharged in a manner that reflects credibility upon the City. Conduct that gives the appearance that decisions and actions are motivated by personal relationships or for personal gain do not meet the standards of conduct for employees under the Policy.
 - b. In conducting the affairs of the City, no employee shall seek or assure a favorable decision or service by any person or entity, public or private, through acceptance of gifts, loans, favors, or any other form of unethical or unlawful conduct.
 - c. Employees shall not be employed or accept employment with any business entity or agency or engage in a professional activity which might result in a conflict of interest or cause/require the employee to disclose confidential information acquired as a result of his/her official capacity with the City. Approval of secondary employment shall be obtained as provided for in Section XVII of this Policy.
 - d. No City officer or employee shall solicit or accept anything of value to the recipient such as a gift (including Christmas gift), favor, loan, reward, promise of future employment, preferred service, benefit, or concession that would reasonably tend to improperly influence the officer or employee in the discharge of his or her official duties or give the appearance of improperly influencing the officer or employee.
 - e. No City officer or employee shall disclose/use information not available to members of the general public and gained by reason of his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.
 - f. No City officer or employee shall transact, or solicit to transact any business in his or her official capacity with any business entity of which the officer or employee, or his or her spouse or child is an officer, director, agent, or member, or in which the officer or employee or his/her spouse or child owns a financial interest, or otherwise has any material interest therein. Nor shall a City officer or employee, acting in a private capacity, transact or solicit to transact any business with the City, or with any of its subdivisions or agencies.
 - g. No City officer or employee shall have personal investments in any business which would reasonably create a conflict between his or her private interests and the City's interest.
 - h. No City officer or employee or his or her spouse or minor child shall, at any time, accept any compensation, payment or thing of value when he or she knows, or with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the officer or employee was expected to participate in his or her official capacity.

X. CODE OF ETHICS FOR OFFICERS AND EMPLOYEES

Section: X

- i. No City officer or employee shall have or hold any employment or contractual relationship with any business entity or agency which is subject to the regulation of, or is doing business with the City, or any part of the City of which he or she is an officer or employee. Nor shall any City officer or employee have or hold any employment or contractual relationship which will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties, or that would impede the full and faithful discharge of his or her public duties.
 - j. Violations of the Code of Ethics for Public Officers and Employees are violations of State law and can result in fines, removal from employment, and criminal conviction; as well as in discipline including discharge from City employment.
2. Certain City public officers and employees, including “Local Officers,” “Procurement Employees,” “Legislative Analysts,” and those who are required by law to file either limited financial disclosure forms (Form 1), or full financial disclosure forms (Form 6), are under more stringent requirements, especially with regard to the acceptance of gifts and honoraria.
3. City employees are encouraged to seek guidance from the City Attorney and/or the Human Resources Department if there is any question whatsoever about the propriety of any contemplated action prior to such action being undertaken. A copy of the statutory Code of Ethics may be obtained by contacting the City Attorney’s Office. Employees may also request, through their department directors, a formal request for an opinion from the Florida Commission on Ethics in Tallahassee. Such requests shall be directed to the City Attorney’s Office, which shall formulate the request and be the point of contact with the Commission.
4. Procedures Upon Offering of Group Gift-From time to time, including during holidays, City departments, divisions, crews or individuals may receive or be offered gifts including gift certificates, baskets, tickets, food, or other items of value, from developers, vendors, contractors, lobbyists and other persons who conduct, have conducted, or seek to conduct business with Madeira Beach. In such instances, such gifts or offers should be reported to the City Manager’s Office so that the gift or offer may be evaluated under the applicable ethics laws. In cases where it is determined that a gift or offer may not be accepted, the gift will be returned or offer declined. Nothing herein, however, prevents any person from presenting a gift to Madeira Beach government, which gift may be accepted on behalf of the government by the Board of Commissioners and used at its sole direction.
5. No current employee of Madeira Beach may serve on any Madeira Beach board, commission, task force or other body, nor hold any other office of City government, including advisory bodies. Nothing herein shall be interpreted as preventing employees from holding any office of any other governmental entity, or from serving on the board of directors of any corporation, so long as no other ethical conflict prevents such service.
6. Employees who may wish to disclose information concerning alleged violations of law or gross mismanagement, malfeasance, waste of public funds or neglect of duty by a City agent, official or contractor must follow the procedures outlined in the City’s Whistle-Blower Ordinance, which are at § 50-20 through § 50-25 of the Madeira Beach Code.

XI. DISCIPLINE AND DISCHARGE

Section: XI-A

*A. General Provisions***XI. DISCIPLINE AND DISCHARGE***A. General Provisions*

1. The level of discipline an employee will receive for a given offense varies in each case depending on the employee's past work and discipline record, seniority and the severity of the offense.
2. Employees may be disciplined by written notice alone (with or without other conditions), suspension, probation, demotion, discharge or combinations of these for an action or failure to act which adversely affects job performance or the efficient operation of Madeira Beach Government or the work unit. It is the intent of the City that employees succeed within their own departments. Therefore, transferring of unsuccessful employees from one department to another is a disfavored practice and will not generally be used to address employee performance or misconduct issues.
3. Probationary and temporary employees and other employees designated as serving at the will of the Board of Commissioners or the City Manager do not possess a property interest in their positions and therefore may, absent contrary charter or contract terms, be discharged without cause and are not entitled to any recourse in the event of discipline or discharge, except as provided in this paragraph and Section XI.D.2.d. of this Policy. Further, the City Manager may elect to grant an employee a last chance agreement or voluntary separation agreement (in a form approved by the City Attorney) and employees who have waived their appeal rights by virtue of having entered into such agreements are not entitled to appeal any subsequent discharge to the extent set forth in such agreements. If any such employee believes he/she has been disciplined or discharged as a result of illegal discrimination, the employee must follow the procedures outlined in Section XIII of this Policy regarding Illegal Discrimination or Harassment.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge***B. Grounds for Discipline or Discharge***

Employees may be disciplined or discharged for any of the following reasons, or for any other just cause:

1. Incompetency or inefficiency in the performance of assigned duties.
2. Possession, use, sale, purchase, or attempt to sell or purchase, any illegal controlled substance, on or off duty; misuse of prescription drugs while on duty.
3. Consumption or possession of any alcoholic beverage on duty or while operating or riding in or on City vehicles or equipment or immediately prior to driving a City vehicle or operating City equipment.
4. Reporting to work, or working with, the presence of alcohol or illegal drugs in one's body; or failure to inform supervisor of use of prescription or non-prescription medication which may affect the employee's ability to safely and effectively perform job functions, or otherwise reporting to work while either mentally or physically unfit to perform duty.
5. Refusal to submit to drug or alcohol testing as provided for in this policy or as may be required by law; attempting to contaminate test specimens or otherwise interfering with drug or alcohol testing procedures.
6. Insubordination including refusing to perform work when assigned, or to comply with written or verbal instructions of the supervisory force, including the use of abusive or threatening language or behavior directed toward a supervisor.
7. Refusal to fully and truthfully cooperate in an investigation conducted by or at the direction of the City or to testify at any hearing or proceeding when directed to do so.
8. Interference with the work of another employee.
9. Conducting personal business during duty hours.
10. Unexcused absenteeism or tardiness, including failure to report to duty at any reasonable time.
11. Political campaigning in writing, orally, or by telephone while on the job or during work hours.
12. Carelessness or negligence in handling or control of City property or the improper appropriation of City property.
13. Willful or negligent failure to follow safety rules or procedures.
14. Discourteous, insulting, abusive, or inflammatory language or conduct toward any person, which disrupts the workplace or serves to offend any citizen, vendor or other person with whom the employee comes into contact during the performance of duties.
15. Inability to perform the essential functions of the employee's position with or without reasonable accommodation, including the inability to maintain regular attendance.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge

16. Failure to comply with ethical requirements in law or these Policies, including the acceptance of a gift under circumstances from which it could reasonably be inferred that the giver expects preferred treatment in a City-related matter.
17. On or off the job conduct which adversely affects the ability of the employee to perform his/her duties or the ability of another employee to perform his/her duties. This includes conduct that adversely affects the efficient operation of Madeira Beach Government or any department/office/division/area thereof.
18. Lying, falsifying an official document including employment applications, medical examination forms, accident records, insurance records, leave or payroll records, purchase orders, or any other dishonesty connected with the employee's job or the operation of Madeira Beach Government.
19. Unlawful or unauthorized possession, use, or threat of use, of a deadly weapon, including a firearm, ammunition, explosive device, illegal knife, or other weapon, while on duty, on City property, or in a City vehicle.
20. Horseplay, fighting, unsafe conduct, or other disorderly misconduct, while on duty or on Madeira Beach Government property.
21. Violation of a City or departmental rule, procedure, order or regulation, any statute or ordinance related to City employment, or any provision of this Policy.
22. Unlawful or improper conduct, either on or off the job, which would tend to affect the employee's relationship to his or her job, his or her fellow workers, or Madeira Beach's reputation or goodwill in the community.
23. Engaging in discriminatory or harassing behavior of a verbal or physical nature which includes, but is not limited to, slurs, epithets, jokes, negative stereotyping, or other acts that relate to race, religion, gender, national origin, marital status, age or disability; or any display or written or graphic material such as photographs or cartoons that denigrates or shows hostility or aversion toward any individual or group because of same; as prohibited by Section XIII and the City's EEO/AA Policy.
24. Violation of Florida Statute 447.505, prohibiting public employees from participating in any strike against a public employer.
25. Conviction or guilt of a felony or a misdemeanor of the first or second degree as defined by Florida statutes or federal criminal law, without regard to or status of any criminal proceeding, or any violation of a county or municipal ordinance involving moral turpitude, while either on or off the job.
26. Failure to obtain and maintain, or suspension or revocation, of a state, federal or other license/certificate required or essential to the performance of the employee's job, and failure to inform the City of such suspension or revocation of license/certification.
27. Unacceptable driving record as determined by the Madeira Beach Workplace Safety Committee, or the loss, suspension, or revocation, of a driver's license, when driving duties and/or possession of a valid driver's license are requirements for the employee's job.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge

28. Two or more related or unrelated disciplinary actions.
29. A less than satisfactory employee performance evaluation.
30. Use of City vehicles for other than City business.
31. Failure to use seat belts while driving or riding in City vehicles, or any other violation of the policies on the use of vehicles for City business.
32. Failure to notify the City Human Resources Staff of any criminal arrest, charge or conviction within three (3) business days of such arrest, charge or conviction.
33. Operating, using, or possessing tools, equipment or machines to which the employee has not been assigned, or performing other than assigned work.
34. Productivity or workmanship not up to required standards of performance.
35. Failure to properly wear a complete City uniform as provided by the employee's department, or to display proper City identification as required by departmental rules.
36. Taking more than specified time for meals and rest periods.
37. Habitual failure to properly and timely complete record of time worked.
38. Knowingly making any unauthorized marks or amendments to time records of oneself or of another, or requesting or soliciting another employee to make such marks or amendments.
39. Failure to obtain and keep current the required authorization for outside employment.
40. Failure to pay just debts due, including debts to the City, or failure to make reasonable provision for the future payment of such debts, thereby causing annoyance or embarrassment to the City or its agents.
41. Failure to report immediately to the department director the loss of a City identification card or access keys.
42. Knowingly permitting another person to use your City identification card, or using another person's identification card, or altering a City identification card.
43. Failure to keep the Human Resources Department notified of current address and telephone number.
44. Unauthorized posting or removal of any matter on or from any City bulletin boards or City property.
45. Provoking or instigating a fight, or actively participating in a fight during the workday, including breaks and meal periods, or at any time while on City property.
46. Sleeping during work hours unless otherwise provided as in the Emergency Medical Service.
47. Unauthorized distribution of written or printed matter of any description on City premises.
48. Failure to report to the City Attorney's Office a request for information, or receipt of a subpoena from an attorney, law firm, or court of law in connection with City related litigation.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge

49. Unauthorized vending, soliciting or collecting contributions at any time on City premises.
50. Failure to comply with the City's computer and internet use policies.
51. Disregarding job duties by loafing or neglecting work during working hours or stopping work, wasting time, or loitering, or temporarily leaving assigned work area during working hours without permission.
52. Abuse of vacation or other leave privileges, including failure to follow leave request procedures or giving false information to access leave.
53. Being absent without permission or leave.
54. Deliberately misusing, destroying, damaging, or causing to be destroyed or damaged, any City property or property of a co-worker or citizen.
55. Making false claims or misrepresentations in an attempt to obtain accident benefits, workers' compensation benefits, health insurance payments, or other benefits.
56. Knowingly harboring without proper treatment, a communicable disease, which may endanger the health of other employees.
57. Concerted curtailment or restriction of production or interference with work in or about the City's work stations including, but not limited to, instigating, leading or participating in any walkout, sit-down, stand-in, slowdown, sick-out, refusal to return to work at the assigned time for the scheduled shift, or participation in a strike or any concerted activity against the City as defined in Florida Statutes.
58. Threatening, intimidating, coercing or interfering with fellow employees, supervision or the public at any time, including the use of abusive, foul or obscene language.
59. Making or publishing false, vicious or malicious statements concerning any employee, supervisor, the City or its operations.
60. Failure to report a work-related accident, illness or injury to the Risk Management Division.
61. Theft or misappropriation of City funds or other assets.

XI. DISCIPLINE AND DISCHARGE

Section: XI-6

C. Progressive Discipline**C. Progressive Discipline**

1. Progressive discipline is a series of steps which provide a systematic approach to address and correct performance or behavior that fails to meet standards established by the City.
2. This subsection shall cover regular employees except those listed in Section XI.A.3, and XI.D.2.d. of this Policy. Regular employees may appeal discipline in accordance with Section XI.D.
3. Directors and supervisors may utilize this process when discipline becomes necessary in an attempt to maintain fairness and consistency. However, the step at which progressive discipline begins may vary depending on a number of factors, such as the nature and severity of the conduct, the employee's past discipline and performance record, and seniority. The Human Resources Staff may be consulted at any step in the Progressive Discipline procedure.
4. The following steps apply to progressive discipline (Note-counseling and warnings alone are not considered disciplinary action for purposes of appeal, but are available tools to use in appropriate circumstances prior to issuing discipline. However, where conduct so warrants, counseling and/or warnings may be skipped in favor of disciplinary action):

Step 1 - Oral Counseling or Warning

Step 2 - Written Counseling or Warning

Step 3 - Written Discipline Notice, Suspension Without Pay, Probation, Demotion

Step 4 - Discharge

5. When a supervisor determines that an employee's behavior or performance fails to meet standards established by the City or violates any provision of this policy, the supervisor should discuss such concerns with the employee and recommend a course of action for improvement. The discussion should include the following interactive process:
 - a. Clearly outline the behavioral problem or performance deficiency.
 - b. Allow the employee to respond to the concerns.
 - c. After considering the employee response, explain expected conduct or performance changes.
 - d. Establish a reasonable time frame in which improvement can be noted. In some cases, it is reasonable to expect quick improvement; other times, months may be more appropriate.
 - e. Tell the employee what the consequences will be if performance does not improve.
 - f. Ask the employee for a commitment to improve performance and correct the problems and follow up with the employee, providing feedback where appropriate.
 - g. Document this process on official Counseling/Warning or Discipline forms as appropriate.

Step 1 - Oral Counseling or Warning. Progressive discipline may begin with an informal discussion between the supervisor and the employee.

Step 2 - Written Counseling or Warning. Absent an improvement in performance, or

XI. DISCIPLINE AND DISCHARGE

Section: XI-C

C. Progressive Discipline

upon recurrence of a minor violation, the supervisor issues a written warning or counseling to the employee on appropriate City form. A copy of the counseling/warning, together with a copy of the employee's response (if any) will be sent to Human Resources for inclusion in the employee's official personnel file.

Step 3 - Written Discipline Notice, Suspension without Pay, Probation, Demotion.

Absent an improvement in performance following a written counseling/warning, or upon the occurrence or recurrence of a serious violation, the department director may discipline with written notice, suspend without pay, place on probation, or demote, the employee. These measures are coordinated with Human Resources. Discipline actions shall be taken through issuance of the City's official Notice of Employee Discipline form, and will be sent to Human Resources for inclusion in the employee's official personnel file.

Step 4 - Discharge. Absent an improvement in performance following suspension without pay, probation, or demotion, or upon the occurrence or recurrence of a serious violation, the department director may decide to discharge the employee. Documentation associated with discharge will be included in the employee's official personnel file.

6. The progressive discipline policies specified herein are guidelines only and shall not be interpreted as creating a condition precedent to the issuing of justified disciplinary action or any particular level of discipline. Furthermore, due to the severity of discharge, where a director is considering discharge (in cases where discharge is not mandatory), in addition to considering the most recent conduct or performance which give rise to the need to discipline, the director shall also consider the employee's entire performance and discipline history, how the director has handled similar conduct or performance in the past, and how the performance or conduct impacts the employee's co-workers, the City's operations and reputation, and the City's citizens. While each case and each employee will have its unique factors, directors should strive to administer discipline in a consistent manner across his or her department and over time.
7. Managerial, professional or confidential personnel of the City who have been designated as serving at the pleasure of the Board of Commissioners or the City Manager are not covered by this progressive discipline policy and may be terminated at any time without regard to cause. To the extent the City adopts official forms for the purpose of issuing counseling, warnings or discipline, department directors will be required to make use of such official forms to communicate these actions to employees.

XI. DISCIPLINE AND DISCHARGE

Section: XI-D

D. Appeal Process**D. Appeal Process**

1. Discipline Not Including Discharge

- a. A regular employee, not probationary or otherwise classified as serving at-will, who is disciplined by written notice of discipline only, or by probation, suspension without pay, or demotion may, within five (5) business days after the employee is notified of the discipline, excluding weekends and holidays, request a review by the City Manager of the discipline action. The request for review must be submitted to the Human Resources Staff in writing and must state with specificity why the employee disagrees with the discipline action. The official City form adopted by Human Resources must be used to file the appeal. Upon receipt of a timely request, the City Manager will provide a review of the discipline action, which will include an opportunity for the employee to explain to the City Manager the facts surrounding the discipline and why he/she disagrees with the disciplinary action. In addition to providing an opportunity for the employee to present his or her arguments and any related documents, the City Manager shall speak with the director who issued the discipline, any relevant witnesses provided by the employee or director, and may review any City documents which might assist the City Manager in reaching a conclusion as to the merits of the review request.
- b. The City Manager shall make the final determination in writing. In the event the City Manager determines that the discipline was unwarranted or too severe for the incident concerned, the employee's suspension will be rescinded and loss of pay, benefits, or seniority restored, or the appropriate level of discipline will be imposed as determined by the City Manager. The City Manager's decision shall be final and not appealable.

2. Discharge

- a. A regular employee, not probationary, at-will, or otherwise ineligible for appeal per Section XI.A, whose conduct is under investigation or whose discharge is contemplated, may be placed on administrative leave without pay pending a final decision. Such employee shall be offered a pre-termination meeting unless the discharge is in accordance with Section XX of this Policy or immediate dismissal is required to protect the health, safety or welfare of City employees or the public. The purpose of a pre-termination meeting is to provide the employee an opportunity to hear the charges against him or her, and to present reasons why his/her employment should not be terminated. In the event the employee is discharged, a post-termination hearing before the Civil Service Commission will be offered. In the alternative, and where the facts of the case appear to warrant it, the City Manager, in his/her discretion, may forego a pre-termination meeting and may instead place the employee on administrative leave without pay, and conduct, either in person or through a designee a full evidentiary hearing in accordance with the procedure set forth in Section XI.D.2.c before the final decision is made.
- b. A regular employee, (not probationary, at-will, or otherwise ineligible for appeal per Section XI.A), who has been discharged for cause, and who was not afforded a full evidentiary hearing before the discharge, may file a written request for a post-termination hearing with the Human Resources Department within ten (10) calendar days following the date the notice of termination is mailed.

XI. DISCIPLINE AND DISCHARGE

Section: XI-D

D. Appeal Process

- c. The jurisdiction of the Civil Service Commission is to interpret this Policy and any other relevant City policies, and to ultimately find if the City had factual and legal just cause to impose the discipline. In reaching its decision, the Civil Service Commission sits in an appellate advisory capacity. The focus is on whether the City has proven, through documents and witness testimony and by a preponderance of evidence, facts which demonstrate that the employee violated the cited City rules and policies. In addition to the question of proof of violation, the Civil Service Commission may also hear and consider an employee's argument that termination was not warranted. However, as to this question of proportionality, the Civil Service Commission should not impose its own managerial philosophy on the administration. Rather, it should consider factors such as whether the discipline imposed is required or allowed in this Policy, whether the director issuing the discipline has dealt with similar past cases in the same manner in light of the particular appellant's entire record vs. other employees the appellant may seek to compare him or herself to.
- d. The Civil Service Commission does not have jurisdiction over, and may not rule upon, or make findings about, any allegations of a violation of a county, state or federal law. Appellants seeking to raise such violations should do so by way of the appropriate statutory procedures.
- e. Employees may not appeal letters confirming job abandonment, letters confirming separation due to inability to perform due to health issues or loss of license or qualification, last chance agreements or voluntary separation agreements, as these are not forms of discipline.
- f. Discharges for violation of Section XX based on test results must proceed with the test result challenge process in that Section prior to being granted a post-termination hearing. Employees failing to challenge a test result will be deemed to have waived any right to a post-termination hearing.
- g. Upon timely receipt of a request for a post-termination hearing, the following will occur:
 - (1) The City Manager will refer the request to the Civil Service Commission, which will work with Human Resources staff to schedule a hearing date in a prompt and reasonable time.
 - (2) The Human Resources Department will serve as the Clerk for the proceedings, and shall maintain the official record of evidence submitted and meeting notes. The Clerk will set the time and place of the hearing, and will notify all interested parties. The Clerk shall also ensure that hearing officers are provided with appropriate standard hearing procedures to permit an orderly, efficient and fair hearing.
 - (3) The Civil Service Commission will conduct the post-termination hearing pursuant to quasi-judicial procedures developed with the assistance of the City Attorney. At a post-termination hearing, the City and the discharged employee may present evidence, examine and cross-examine witnesses, raise objections, and be represented by counsel.
 - (4) The Civil Service Commission will make findings of fact and conclusions as to the application of those facts to the City's policies.

XI. DISCIPLINE AND DISCHARGE

Section: XI-D

D. Appeal Process

- (5) The Civil Service Commission's advisory opinion will be forwarded to the City Manager who will make a final decision. In making a final decision, the City Manager may not overturn the Civil Service Commission's findings of fact, but may reach a different conclusion as to how such facts should be applied to the City's policies. For purposes of certiorari appellate review, the City Manager's written decision shall be the final action of the City.
 - (6) In the event the City Manager determines that the violation was not factually supported, the employee will be reinstated without loss of pay, benefits, or seniority. Upon determining that policy violations occurred but that a discipline other than termination is warranted, the City Manager shall impose the appropriate discipline, which shall not be further appealable. If the City Manager determines that policy violations occurred and that the discipline imposed was appropriate, he/she shall so find.
 - (7) Notwithstanding the foregoing, employees may elect an alternative remedy to appeal a disciplinary action where same is provided for by applicable collective bargaining agreement.
- h. Name Clearing Hearings
- (1) When an employee is discharged for cause, and where the employee believes that his or her file contains stigmatizing information connected with the discharge or where a City official publishes post-termination information connected with the discharge the employee believes contains stigmatizing information, the employee may, within ten (10) calendar days of receiving notice of the discharge or of the publishing of the post-termination information, request a hearing for the sole purpose of responding to the information considered to be stigmatizing.
 - (2) The Civil Service Commission shall conduct a name-clearing hearing, and shall provide the discharged employee an opportunity to clear his/her name. A hearing held pursuant to this section (h) will be recorded and the record preserved for such times as may be prescribed by law or, if no such time is prescribed, for a reasonable time. Upon hearing from the former employee and any relevant City witnesses, the Civil Service Commission may recommend to the City Manager that a demonstrably false or incomplete statement or conclusion in a file be supplemented with the former employee's side, that the City issue a retraction or clarification of a demonstrably false or incomplete statement to the public, or some other measure requested by the former employee so as to eliminate or reduce the alleged unwarranted stigma. The Civil Service Commission may also decide to make no recommendation if one is not warranted. The mere confirmation that the former employee had been discharged, the fulfillment of a public records request for documents related to the discharge, or the former employee's disagreement with a discharge decision, will not be proper foundations for a name-clearing hearing. Such a hearing shall not entitle the employee to any relief from discharge.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-A

A. Definition of Terms

XII. EMPLOYEE COMPLAINT PROCEDURE**A. Definition of Terms**

1. **Complaint** - a written statement made by an employee concerning any non-disciplinary, work-related problem. The statement must be submitted on the City's official grievance form before it can be considered a "complaint."
2. **Immediate Supervisor** - the person in the chain of command to whom an employee directly reports and under whose direct supervision the employee performs his/her job.
3. **Regular Employee or Employee** - (for purposes of this Section) - a person employed by the City who is not working in a temporary status.
4. **Occurrence** - an event that caused the complaint or an incident which the employee, through the exercise of reasonable care, should have known about.
5. **Temporary Employee** - a non-regular employee (e.g., OPS, on-call, contingency, student intern) as defined in Section I.B.1. of this policy.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-B

B. General Provisions**B. General Provisions****1. Purpose**

The purpose of the Complaint Procedure is to establish a process for resolving employee work-related problems and grievances at the lowest administrative level possible and to ensure the fair, expeditious and orderly resolution same. The Complaint Procedure shall NOT be used to appeal evaluations or discipline, nor to address allegations of illegal harassment or discrimination. Complaints regarding such matters must be processed under the provisions of Section XIII, Illegal Discrimination or Harassment.

2. Coverage

- a. The Employee Complaint Procedure is applicable to all regular employees.
- b. Employees, including probationary and temporary employees, who wish to lodge a complaint concerning illegal discrimination must utilize the formal procedures established in Section XIII of this Personnel Policy Manual.

3. Time Limits

- a. The time limits set forth in this Procedure are strictly adhered to unless waived by both parties concerned or the Human Resources Staff.
- b. Failure on the part of the supervisor, the department or the Human Resources Department to comply with the time limits enables the employee to proceed to the next step.
- c. If an employee fails to comply with the time limits, his or her problem shall be deemed resolved, and any pending complaint shall be dismissed.

4. Responsibilities of Department Directors

- a. Department directors are responsible for ensuring that supervisors promptly handle employee problems and that each employee is made aware of this Procedure.
- b. Department directors are encouraged to call upon the Human Resources Staff for an interpretation of any City Personnel Policy or Procedure or for guidance regarding the application of City Personnel Policies, Rules and Procedures. Department directors are also encouraged to consult with the Human Resources Staff or designee concerning employee relations matters.

5. Available Complaint Procedures

Employees have the following procedures available to them:

- a. Opportunity to file a complaint with the Human Resources Department.
- b. Opportunity for informal resolution of the complaint. An effort will be made within the affected department to resolve the problem informally through the use of representatives of the Human Resources Department, as necessary.
- c. Opportunity to bring witnesses and documentary evidence at any step in this Procedure.
- d. Opportunity to have copies of relevant records or documents provided by the records custodian when such records or documents are kept by or for the City in the ordinary course of business.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-C

C. Procedural Steps**C. Procedural Steps**

The following steps are available to employees for the orderly and expeditious processing of non-disciplinary, work-related problems or complaints.

1. STEP I: Immediate Supervisor

- a. When an employee has a work-related complaint, the employee should consult with his/her immediate supervisor within ten (10) calendar days of the occurrence. Either or both parties may request Human Resources' assistance in resolving the complaint. However, employees are encouraged to work in good faith with their respective supervisors for speedy resolutions of their problems or concerns.
- b. If a satisfactory resolution is not reached within two (2) of the supervisor's working days following the employee's initial consultation with the supervisor, the employee has two (2) additional work days to put the problem in writing on an official form and to present it to his/her supervisor.
- c. The supervisor has two (2) working days (supervisor's working days) from the day the employee presented the written complaint to give the employee a written decision on an official form, with forwarding copies.

2. STEP II: Department Director

If the matter is not satisfactorily resolved in Step I, the employee may present the written statement of the problem or concern to the department director. This step must be taken within five (5) working days of receipt of the supervisor's written decision. The department director shall render a written decision to the employee within five (5) working days after receipt of the employee's written statement, with forwarding copies.

3. STEP III: Human Resources Department

In the event the complaint remains unsettled, the employee may refer the matter to Human Resources within five (5) working days of receipt of the department director's decision. The Human Resources Staff or designee attempts to resolve complaints within his/her area of responsibility. In the event the complaint is not resolved within ten (10) working days of receiving the complaint or if it is beyond the scope of the Human Resources Staff's responsibility, the Human Resources Department will prepare a report to the City Manager.

4. STEP IV: City Manager

The City Manager or his/her designee will consider the complaint. Upon request, the complaining employee may explain his/her position in writing and/or in a meeting with the relevant official/designee. After considering all the available information, including any recommendation by a designee, the City Manager will make a final determination within fifteen (15) calendar days after receipt of written submission, meeting with employee, or receipt of designee's report, whichever is last-occurring.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-D

D. Prohibition Against Retaliation***D. Prohibition Against Retaliation***

1. Madeira Beach prohibits retaliation against any employee for using the Employee Complaint Procedure or for participating or cooperating in any way in connection with this Procedure.
2. An employee who believes that he/she has been harassed or retaliated against for having used this complaint procedure may, within ten (10) calendar days of the occurrence, file such allegation with the Human Resources Department for further investigation. After completion of its investigation, the Human Resources Department will submit a report of its investigation to the City Manager, who will take appropriate action.
3. Violation of this subsection is subject to disciplinary action up to and/or including discharge.

XIII. ILLEGAL DISCRIMINATION OR HARASSMENT

Section: XII

XIII. ILLEGAL DISCRIMINATION OR HARASSMENT**A. Policy**

1. Madeira Beach is committed to providing workplaces that are non-discriminatory and afford equal treatment to all. The City will not condone or tolerate illegal discriminatory behavior. This specifically includes sexual harassment and any other type of harassment or discriminatory conduct based on race, color, national origin, religion, gender, marital status, age, citizenship or disability (protected class).
2. Employees shall not engage in conduct which violates this policy at any time during working hours, or on City premises while off duty, or while off duty and interacting with fellow employees (including interactions on social media).
3. All administrative and supervisory personnel are expected to abide by the City's commitment to equal opportunity and treatment under the law and to ensure that this policy is fully implemented and enforced.
4. Due to the severity of illegal discriminatory conduct, and the legal questions which are often involved in investigating such conduct, the procedures in this policy shall be used in investigating and dealing with illegal discrimination complaints. The City's general Complaint Procedure shall not be used to address such complaints.

B. Definitions

1. Illegal harassment or discriminatory conduct can be any verbal or physical conduct that belittles or otherwise shows hostility or aversion toward an individual or group based upon that individual's or group's race, color, religion, gender (including sexual orientation or transgender status), national origin, marital status, age, citizenship or disability, and that for a reasonable person:
 - (a) has the effect of creating an intimidating, hostile, or offensive work environment; or
 - (b) has the effect of unreasonably interfering with an individual's work performance; or
 - (c) otherwise adversely affects an individual's terms and conditions of employment.
2. Examples of illegal harassment include, but are not limited to, epithets, slurs, jokes, negative stereotyping, or other acts which are threatening, intimidating, or hostile in nature, that relate to a protected class, or any display of written or graphic material such as photographs or cartoons that belittles or shows hostility or aversion toward an individual or group because of the same.
3. Sexual harassment is generally defined as abusive treatment of an employee by the employer or by a person or persons under the employer's control, which would not occur but for the person's gender, when:
 - (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - (b) submission to such conduct by an individual is used as the basis for employment decisions affecting the individual; or

XIII. ILLEGAL DISCRIMINATION OR HARASSMENT

Section: XIII

- (c) such conduct has the effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive work environment.
4. Examples of conduct which may constitute sexual harassment may include, but are not limited to, the following:
- (a) unwelcome sexual advances, flirtations, or propositions
 - (b) actual or implied demands for sexual favors in exchange for favorable treatment or continued employment
 - (c) unwelcome jokes or remarks of a sexually oriented nature
 - (d) verbal abuse of a sexual nature
 - (e) unwelcome commentary about an individual's body, sexual prowess, attractiveness, or sexual deficiency
 - (f) any display in the workplace of sexually suggestive objects, pictures, posters, or reading material
 - (g) a coerced sexual act or assault
 - (h) uninvited physical contact of a sexual nature such as pinching, grabbing, patting, or brushing against another person
 - (i) uninvited leering, whistling, or gestures of a sexual nature

C. Procedure

1. Any employee or applicant who believes that he or she is being or has been illegally discriminated or retaliated against or harassed must file a timely written complaint with the Human Resources Staff. To the extent the City maintains an official form for the purpose of filing a charge under this section, such form must be used and all questions therein responded to fully.
2. Directors, managers and supervisors must not initiate investigations on their own but are responsible for immediately bringing any allegation or concern related to potential cases of illegal discrimination or harassment to the attention of Human Resources.
3. The Human Resources Department will be responsible for evaluating all complaints under this policy with legal advice as needed, and making the determination on whether an internal investigation is warranted. In cases where such an investigation is determined to be warranted, the City Manager will designate an appropriately qualified person or persons from outside the employee's department who shall be responsible for conducting a prompt, thorough and objective investigation.
4. Employees questioned during the course of an investigation are obligated to cooperate in a full and honest manner. No employee shall face any form of reprisal for making a complaint or for his or her cooperation with an internal investigation. Employees who either refuse to cooperate in an internal investigation, or who intentionally give false information at any point within an investigation, shall be subject to disciplinary action.

XIII. ILLEGAL DISCRIMINATION OR HARASSMENT

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5. Once an internal investigation has been concluded, the Human Resources Department will review the investigator's written report with the City Manager and appropriate senior staff, to include the department director(s) at-interest. In appropriate cases, the City Attorney may also be present to advise. This panel will determine the remedial action to be taken, if required. A final written report containing final findings and the actions taken will be generated at the conclusion of the investigation and review, with a copy provided to the complainant. Individuals against whom allegations were raised will likewise be entitled to receive a copy of the final report upon request.
6. Once an investigation has been concluded, it shall be the responsibility of the department director at-interest to implement the remedial actions which were determined by the review panel to be appropriate. The Human Resources Department shall be responsible for monitoring the workplace situation, and should be contacted by the complainant or other affected parties if they at any point feel that either retaliation is taking place or the illegal behavior is continuing.
7. This internal complaint and investigation process does not preclude an aggrieved employee from filing a complaint with the United States Equal Employment Opportunity Commission and/or the Florida Commission on Human Relations. However, failing to utilize this internal procedure may under the law result in the loss of important legal rights.

XIV. LABOR-MANAGEMENT RELATIONS

Section: XIV

XIV. LABOR-MANAGEMENT RELATIONS

1. By law, Madeira Beach employees have the right to form, join, and participate in, or to refrain from forming, joining, or participating in legally sanctioned employee organizations to represent them in employee relations matters.
2. City employees have the right to refuse to join or participate in the activities of employee organizations. They also have the right to represent themselves individually in their employment relations with the City.
3. No employee will be interfered with, intimidated, restrained, coerced or discriminated against because of his/her exercise of these rights. It is the intent of the City that nothing in this section shall be construed to either encourage or discourage the organization of employees.
4. Employees who are or become covered under a collective bargaining agreement shall also be subject to the Personnel Policy, Rules and Procedures. If any direct conflicts occur between such agreements and the Personnel Policies, the agreement shall take precedence. Such agreements shall be controlling, in cases of conflict, even where the rights or benefits provided within said agreements are lesser than those contained within the Personnel Policies.

XV. EMPLOYEE RECOGNITION PROGRAM

Section: XV

XV. EMPLOYEE RECOGNITION PROGRAM

1. The Board of Commissioners seeks to recognize and reward City employees for dedication to the City, exemplary performance and innovation, and gains in efficiency, City positive environmental impacts and cost reduction, all of which enhance the performance of Madeira Beach Government.
2. All regular full and part-time employees shall be eligible to receive recognition and awards related to an individual employee's or work group's exceptional accomplishments or contributions related to their City service.
3. Employees may, to the extent budgeted funds are available, receive appropriate recognition including plaques or other tokens, paid time off, leave credits or monetary awards for the following categories such as employee of the month/year, heroism, and years of service.
4. Employees may receive recognition based on the following criteria:
 - Discovery or invention of a unique innovative idea, process, procedure or policy which will result in significant improvement or efficiency in the operation of their department or the City in general.
 - Implementation of a project, idea, process, procedure or policy resulting in significant monetary savings to the City.
 - Outstanding and exemplary performance in the daily capacity of an employee which far exceeds the expectations of the position.
 - Achieving or substantially contributing to the achievement of a highly desirable outcome, either in terms of substantial safety improvements or the avoidance of risk, or otherwise obtaining an extraordinary beneficial result through exceptionally strenuous or complex work of a non-routine nature.
 - Providing highly effective assistance "above and beyond the call of duty" type efforts resulting in a positively changed outcome for the employees or citizens of Madeira Beach.
5. All employee awards provided for herein shall be in accordance with Florida law and City policies concerning such awards. The City Manager shall have the authority to develop and periodically revise procedures and forms to implement this section.

XVI. EMPLOYEE PERFORMANCE EVALUATION SYSTEM

Section: XVI

XVI. EMPLOYEE PERFORMANCE EVALUATION SYSTEM

1. Under the direction of the City Manager, the Human Resources Staff administers a program for rating the work performance of Madeira Beach employees.
2. The Performance Evaluation Program is designed to provide procedures and guidelines for supervisors to evaluate the performance of City employees in the accomplishment of their assigned duties and responsibilities.
3. Through the uniform application of these procedures and guidelines, supervisors can use the Performance Evaluation Program as an effective management tool to recognize accomplishments, guide and reward performance and improve productivity and morale.
4. The City Manager is authorized to approve administrative revisions to the Performance Evaluation Program.
5. The Employee Performance Evaluation Forms adopted by the City Manager must be used for all official employee performance evaluations. These forms shall be posted on any available employee-only City computer networks so as to facilitate electronic completion by management.
6. Performance Evaluation Program guidelines may be published separately by Human Resources to aid management in the use of the Program.
7. All employees of Madeira Beach may, at their election, draft and submit a written response to any performance evaluation given by management. Such written responses, which shall be free of profane, discriminatory, abusive or inflammatory language, and which should address and respond to the evaluation, will be appended to the evaluation being responded to, and placed in the official personnel file.

XVII. OUTSIDE EMPLOYMENT, ENTERPRISE, BUSINESS

Section: XVII

XVII. OUTSIDE EMPLOYMENT, ENTERPRISE, BUSINESS

1. No City official or employee shall work in any enterprise or business, including self-employment, accept outside employment, or render services for private interests, whether paid or unpaid, non-profit or profit, when the employment or service conflicts with the employee's official duties. Nor shall such work create an appearance of conflict or impair independent judgment or action in the performance of the duties of a City employee.
2. Newly-hired or current employees wishing to engage in, or continue in any enterprise, business, outside employment, or to render services for private interests, paid or unpaid, non-profit or profit, must first request approval from their department director on a request for outside employment form provided by the Human Resources Department. The department director will make an initial assessment of the request to ascertain whether the proposed nature and/or schedule of the outside employment will or likely will negatively impact the employee's City job performance. If an initial determination of non-interference is made by the director, the department director then informs the City Manager of the request. Employees who fail to file a request to their department director (City Manager for employees directly reporting to that official) prior to engaging in outside employment activity may be subject to disciplinary action up to and/or including dismissal. Newly hired employees must declare and seek approval of supplemental employment or other outside business at the time of hiring.
3. Upon referral from the department, the City Manager reviews all pertinent information and consults with the department director as needed. The City Manager determines if the employment or activity is inconsistent, incompatible, or conflicts with the employee's duties and responsibilities, or may tend to do so. Based upon this information, the City Manager approves or disapproves the request to engage in the secondary employment or outside business.
4. The proposed employment shall not be with a business or agency subject to the regulation of, or that is doing business with, the department of the employee, except if expressly permitted by state law.
5. The proposed employment cannot require the employee to disclose or use information gained in his/her official City position that is not available to the public.
6. Changes in secondary employment or outside business must be reported promptly to the department director, who will determine whether further approval is required.
7. Permission to engage in secondary employment and outside business may be denied or withdrawn at any time if the City Manager or Department Director determines, in his or her sole discretion, that such activities are interfering with, or may be expected to interfere with, the employee's production, efficiency, duties or responsibilities, or when it causes discredit or is in conflict with City interests.
8. Any outside employment or business described above is secondary to the requirements of regular City employment. It must not interfere with or impede the availability of an employee to perform his/her duties and responsibilities. Every employee granted approval under this rule must agree to respond immediately to any call to duty by the City whenever the

XVII. OUTSIDE EMPLOYMENT, ENTERPRISE, BUSINESS

Section: XVII

department director (City Manager for employees directly reporting to that official) determines his/her services are necessary.

9. Supervisors must be notified immediately, but no later than the employee's next scheduled working day, of injuries sustained during outside employment. Employees sustaining injuries are ineligible to receive workers compensation benefits from the City. Sick leave benefits are allowed based on injury or illness arising from outside employment only if the outside employment has been approved under this policy and only to the extent the employee is not eligible to be otherwise compensated for absences caused by the injury or illness.
10. No City personnel, equipment, facilities, vehicles, or other property may be used by employees while engaged in outside employment, enterprise or business.
11. No employee shall perform work for private individuals or other governmental departments/agencies as a part of his/her City employment except when the work is part of contract arrangements, mutual aid agreements, or interlocal agreements entered into by the Board of Commissioners.
12. No employee of Madeira Beach shall have financial interests in the profits of contracts, services or other work performed by or for the City. Nor shall a City employee personally profit, directly or indirectly, from any contract, purchase, sale or service between the City and any person or business. Any employee who violates this rule is guilty of misconduct and subject to immediate dismissal.

XVIII. POLITICAL ACTIVITY

Section: XVIII

XVIII. POLITICAL ACTIVITY

1. No person shall be appointed to, demoted, or dismissed from any City position, or in any way favored or discriminated against with respect to employment with Madeira Beach, because of political opinion or affiliations.
2. No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure for any person an appointment or advantage in appointment to a position in Madeira Beach Government service, or in the service of any Pinellas County constitutional officer, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any other political consideration.
3. As an individual, each employee retains all rights and obligations of citizenship provided in the Constitution and laws of the State and the Constitution and laws of the United States. However, no employee of Madeira Beach Government shall:
 - a. Take any active part in a political campaign while on duty or within any period of time during which they are expected to perform services for which they receive compensation from the City. This will include making or distributing flyers, hand cards, or other campaign or political items in the workplace; or making use of any City equipment, service or facility in furtherance of any campaign or political purpose.
 - b. Use the authority of their position to secure support for or oppose any candidate, party or issue in an election or affect the results thereof.
 - c. Use any promise or reward or threat of loss to encourage or coerce any employee to support or contribute to any political issue, candidate or party.
 - d. Display on their person (while on duty), City vehicles or in their workplace, any button, sign, decal or other symbol of support for any elected official, political party, issue or candidate for public office.
 - e. Appear in any print, television, radio or other form of advertisement for any elected official, political party, issue or candidate while wearing a Madeira Beach uniform, or while identifying oneself as an employee of Madeira Beach.

Nothing herein shall be interpreted as prohibiting a City employee from using City resources related to state or local referendum or initiative to the extent authorized by Florida Statute § 106.113 where that employee's duties permit or require such work, and where the Madeira Beach Commission has adopted a policy or position concerning the matter.

4. An employee who takes any step to run for a Madeira Beach Commission seat, including opening a campaign account for that purpose, filing qualifying paperwork with the Supervisor of Elections, or conducting a press conference or issuing a press release confirming his or her candidacy, shall be deemed to have resigned his or her position with Madeira Beach as of the close of business of the date any of these actions are first taken. Nothing herein shall be read or interpreted as preventing an employee from standing for election for any other elective

XVIII. POLITICAL ACTIVITY

Section: XVIII

public office or applying for appointment to any appointive public office.

5. An employee elected to public office other than as a Madeira Beach Commissioner or Constitutional Officer shall resign from City employment if the elected position presents any conflict of interest or interference with the employee's City job. The City Manager may grant written permission to remain in the City job, if no such conflict or interference exists. For purposes of this section, a conflict of interest will be determined in the sole discretion of the City Manager regardless of any other determination.
6. Any person who violates any provision of this section shall be subject to disciplinary action, up to and/or including discharge. However, nothing herein shall be construed to prohibit an employee's right to file a complaint of workplace discrimination or harassment, to raise a concern regarding workplace safety, to report to appropriate authorities the misuse or theft of City assets, or to engage in casual workplace discussions on social or political topics, so long as such discussions do not, in the judgment of management, interfere with the orderly, peaceful, and efficient performance of assigned duties or with the valid exercise of authority of management. Employees or managers having questions concerning political activities or the interpretation of this policy should consult the Human Resources Staff and the City Attorney's Office.

XIX. SAFETY

Section: XIX

XIX. SAFETY

1. Employee safety is a primary Madeira Beach obligation. All employees are personally responsible for safety in the workplace.
2. The City Manager is authorized to develop and publish a Madeira Beach Safety Manual to provide safety policies and procedures to be used by all departments for the safety of City employees and protection of City property.
3. Employees who knowingly and willfully violate any published safety policies and procedures are subject to disciplinary action, up to and/or including discharge, under Section XI of the Policy.

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-A

*A Purpose, Scope and Prohibitions***XX. DRUG-FREE WORKPLACE PROGRAM***A. Purpose, Scope and Prohibitions*

1. Madeira Beach Government has a compelling interest in maintaining a safe, healthy and productive work environment for all its employees; in providing professional services for its customers in a safe, timely and efficient manner; in maintaining the security of its equipment and workplace; and in performing all these functions in a fashion consistent with the interests and concerns of the community.
2. Pursuant to these goals, the City has established a Drug-Free Workplace Program. This program is intended to comply with: the Drug-Free Workplace Program requirements set forth in Chapter 440, Florida Statutes; the implementing regulations, promulgated by the State of Florida, Department of Labor and Employment Security, Division of Workers' Compensation; 49 U.S.C. §§ 5301 and 5331; and the implementing regulations in **Title 49 of the Code of Federal Regulations, Parts 29, 40, 382 and 655 (bolded throughout Sections XX-A, B, C, and D of this policy)**. The program is also intended to deter drug and alcohol abuse by employees in order to limit illness and injuries to themselves and to others. While the majority of the program will have standards applicable to all City employees, certain provisions will vary to comply with regulations specific to certain job classifications. A copy of the federal regulations applicable to this program may be obtained in the Human Resources Department, or directly from the federal government's web sites.
3. To enforce the City's drug and alcohol-free policies and programs, candidates for employment and current employees can be required to submit to substance abuse testing under certain circumstances as set forth herein, and are expected to cooperate fully in providing specimens and explanations that may be subsequently required by this Policy.
4. This policy applies to candidates for employment and to City employees in all job classifications at all locations, during their entire work day (includes on-call and stand-by time).
5. City employees are strictly prohibited from engaging in any of the following acts while on City premises or within City facilities, while conducting City-related work off City premises, or while operating City vehicles:
 - a. Unlawful possession, use, consumption, sale, purchase, distribution, dispensation or manufacture of any illegal drug; or
 - b. Use or consumption of alcoholic beverages; or
 - c. Misuse of legally obtained drugs.
6. The City:
 - a. Will not permit any employee to report to work nor to perform duties with the presence of any illegal drug in his/her system; or with a blood-alcohol level as defined in Florida Statutes § 316.1932(1) (b), of 0.08 percent or more; or if his/her senses are impaired due to misuse of legally obtained drugs.

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-A

A Purpose, Scope and Prohibitions

- b. **Will not permit any safety-sensitive employee covered by Parts 655 (Federal Transit Administration) and 382 (Federal Motor Carrier Safety Administration) of Title 49 of the Code of Federal Regulations (hereinafter: "covered employee") to:**
 - (1) **report to work with an alcohol concentration of 0.02 or greater**
 - (2) **perform safety sensitive functions within four hours of using alcohol**
 - (3) **consume alcohol for 8 hours following an accident unless employee has undergone and tested clean after being administered a post-accident alcohol test**
 - (4) **perform or continue to perform safety sensitive functions with an alcohol concentration of 0.02 or greater.**
 - c. **Will not permit employees to consume alcohol during the hours the employee is on call. Pursuant to Federal Transit Administration regulation 49 C.F.R. Part 655, a covered on-call employee who is called to report to duty shall have the opportunity to acknowledge that he/she has used alcohol during the on-call period, and whether he/she is able to perform his or her safety-sensitive duties. If the covered employee acknowledges having used alcohol during the on-call period, but asserts that he/she is able to perform his/her duties, the City shall refer the employee for testing. The City requires any admission that an on-call employee has used alcohol during an on call duty shift be in writing, and reserves the right to send any employee for testing, even where the employee admits alcohol use and that he/she cannot perform their duties.**
 - d. **Will not permit any employee to report to work or to perform his/her duties while taking prescription or non-prescription medication which adversely affects the person's ability to safely and effectively perform his or her job functions. Employees are required to notify their supervisor of prescription or over-the-counter medication which carries a warning label that indicates mental functioning, motor skills, or judgment may be adversely affected. All employees holding safety sensitive positions must comply with this requirement by completing the official reporting form developed by the Human Resources Department for this purpose. The City also reserves the right, once in receipt of notice, to require submission of additional documentation from the prescribing physician(s) confirming the ability to work under this policy. Medical advice will then be sought, as appropriate, before allowing the employee to return to performing work-related duties.**
 - e. **Will require an employee to report any criminal drug statute conviction, or a finding of guilt whether or not adjudication is withheld, or the entry into a diversionary program in lieu of prosecution to the Human Resources Staff, in writing, no later than three (3) days after such conviction. Any employee who fails to notify the Human Resources Staff will be subject to disciplinary action, up to and including termination.**
7. **Abiding by the terms of this policy is a condition of employment.**
 8. **Any employee who violates this policy is subject to disciplinary action, up to and/or including discharge.**
 9. **The policies and procedures set forth in the City's Drug-Free Workplace Program constitute statements of policy only, and are not to be interpreted as a contract of employment between the City and any of its employees. The City reserves the right to change, modify, or delete any of the Program's provisions and policies at any time.**

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-B

B. Drug and Alcohol Testing Program**B. Drug and Alcohol Testing Program**

1. Types of Testing

a. Job Applicant Testing

- (1) Employment of every applicant who has received an offer of a job which has been designated as safety-sensitive is contingent on successfully passing a substance abuse test. The City reserves the right to allow a job applicant to start work pending the results of the drug test (with exception to applicants hired into "covered" positions).
- (2) For purposes of this section, the term "applicant" includes City employees who, for any reason, accept or are assigned to a safety-sensitive position.
- (3) Employees who advance within an established career ladder into a safety-sensitive position must submit to a drug test.

b. Persons covered under subsection two (2) or three (3) above will be sent for testing under City authority and using non-DOT referral form(s). **Non-safety-sensitive employees accepting or being assigned a covered safety-sensitive position must use DOT-approved referral form(s).**

c. Reasonable Suspicion Testing and/or Post Accident/Cause.

- (1) Personnel trained by the City to detect the signs and symptoms of drug or alcohol use (and any other official authorized to make non-DOT referrals) may develop a reasonable suspicion to believe that an employee is using or has used drugs in violation of the City's policy. Evidence sufficient to support the development of a reasonable suspicion may consist of, but is not limited to:
 - (a) Observable phenomena while at work, such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol.
 - (b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - (c) A report of drug/alcohol use, provided by a reliable and credible source. Covered employees will be referred and tests processed on non-DOT chain of custody and breath alcohol forms.
 - (d) Evidence that an individual has tampered with a required drug test.
 - (e) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while on City premises or while operating a City vehicle, machinery, or equipment. Covered employees will be referred and tests processed on non-DOT chain of custody and breath alcohol forms.

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- (f) Information that an employee has caused, contributed to, or been involved in an accident while at work. An employee who is unable to submit to testing at the time of an accident due to the seriousness of his/her injuries is required to provide the necessary authorization for obtaining medical reports or other documentation that would indicate whether there were any drugs or alcohol in his or her body. Employees not involved in accidents covered by specific federal regulatory criteria shall be referred to post-accident testing pursuant to forms and criteria developed by the Human Resources Department. **Pursuant to Federal Transit Administration regulation 49 C.F.R. Part 655, covered employees, including operators and other covered employees whose performance could have contributed to the accident, shall be referred for post-accident testing in the case of a fatality, bodily injury requiring medical attention away from the scene of the accident, or if the transit vehicle is a rubber tire vehicle and any of the involved vehicles are towed away, unless, in the case of a non-fatal accident, the employee's performance can be completely discounted as a contributing factor based on the best information available at the time of the referral decision. Accidents involving employees covered by Federal Motor Carrier Administration regulations will be referred for post-accident testing as required by 49 C.F.R. Part 382.**
- (g) An expanded panel drug test will be completed if any of the above criteria (a-e) exist. Note: **Federal Motor Carrier Administration and Federal Transit Administration** employees will have both a 5-panel test and a City specified expanded panel test completed during the one collection.
- (2) Immediate supervisors will report their suspicions to their department director. An employee will report immediately after the order to the designated laboratory for testing, under the following conditions:
- (a) If the supervisor believes the employee is impaired in any way by drugs or alcohol, the supervisor will personally drive or direct another responsible individual to drive the employee to the approved drug testing site.
- (b) An employee suspected of being impaired shall never be permitted to drive a vehicle during any duty shift during the period of suspicion.
- (c) Travel to and from, and time spent at, the drug testing site will be on City time - not the employee's own time.
- (d) After drug testing is completed, the employee should be transported to the department director's location. The director, based on the facts and circumstances, may place the employee on administrative leave pending receipt of the results of the drug or alcohol testing.

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- (e) The director should arrange to have an impaired employee taken home. The director should tell an employee who refuses assistance that law enforcement authorities will be called if the employee attempts to drive home alone. If the employee persists in attempting to drive after such a warning, the director must call the appropriate law enforcement agency.
- (f) **Pursuant to 49 C.F.R. Parts 382 and 655, covered employees will be subject to alcohol testing only while performing safety sensitive duties or immediately before or after the performance of such functions. Alcohol testing shall only be administered if the reasonable suspicion observation is made immediately before or after the performance of safety sensitive duties, or while actually performing such duties (non-DOT forms shall be used to process referrals of employees performing non-safety-sensitive duties). If breath alcohol test is not administered within two (2) hours, then reasons shall be documented by the supervisor or other authorized official on designated HR forms and attempts to obtain testing shall continue. However, attempts to obtain alcohol testing shall cease after eight (8) hours and the supervisor or authorized official must further document the reasons for the failure to obtain testing within the allotted time period.**
- (3) Within seven (7) days after testing based on reasonable suspicion, the supervisor who recommended the testing shall detail in writing, on the City's Reasonable Suspicion Testing Report Form, the circumstances which formed the basis of his or her belief that reasonable suspicion existed to warrant the testing. The department director who directed the drug test will certify on the form that he/she was informed of the basis of suspicion and was satisfied reasonable suspicion existed. A copy of this report shall be provided to the employee being tested upon request. The original copy of the report shall be kept confidential and retained by the Human Resources Department for at least twelve months.
- (4) Any on-the-job injury for which an employee requests or is required to seek Workers' Compensation medical treatment amounts to sufficient reasonable suspicion to require drug testing. All employees reporting for such medical treatment will submit to a drug/alcohol test as part of the evaluation. The employee's immediate supervisor will prepare a Reasonable Suspicion Testing Report Form the first time an employee is treated for a particular injury and forward the Form, through the department director for certification, to the Human Resources Staff within three (3) work days of the first treatment.
- (5) **Pursuant to 49 C.F.R. Parts 382 and 655, post-accident testing related to accidents involving covered employees shall be completed as soon as practicable but must be within thirty-two (32) hours of the accident. If a post-accident alcohol test is not conducted within two (2) hours of the accident, the supervisor must document the reasons why on such form as may be developed by the Human Resources Department for such use. Nevertheless, the supervisor shall continue attempts to obtain a specimen for up to eight (8) hours after the accident. All reasons why attempts to obtain a specimen within this eight (8) hour period were unsuccessful must be documented as noted above. Covered**

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employees must remain readily available for post-accident testing, including notifying their department or Human Resources of their location if they leave the scene of an accident prior to submission to post-accident testing. Failure to make such notifications upon leaving an accident scene shall constitute a refusal to submit to testing.

d. Routine Fitness-for-Duty Testing

All employees in an employment classification or group, for which the City routinely schedules employee fitness-for-duty medical examinations pursuant to City policy, must submit to a drug test as a part of their medical examinations.

e. Follow-up/Return to Duty Testing

(1) Covered employees subject to return to duty and follow up testing must first meet with a substance abuse professional pursuant to the requirements of 49 C.F.R. Part 655 and 40. Covered employees reemployed after violating DOT drug and/or alcohol regulations must show written proof of completion of required certified substance abuse professional (SAP) evaluation, referral and education/treatment process and obtain a negative return to duty test. If said covered employee has been released by the SAP to return to safety sensitive duties but still required by the SAP to obtain ongoing treatment (at employee's expense), all such SAP requirements must be complied with as a condition of continued employment. Any post-positive return to duty or follow up testing required will be at the employee's expense and be "observed collections."

(2) If, in the course of employment, an employee is required by the City to enter an employee assistance program (EAP) for drug-related problems or a drug/alcohol rehabilitation program, the employee must submit to drug or alcohol testing as a part of and as follow-up to such program.

f. Post-Absence Testing

Safety sensitive employees who are returning to the workplace after an absence of ninety (90) calendar days or more (i.e., sick, vacation, jury duty, military leave, leave of absence, worker compensation, family sick, etc.), must, whether leave was FMLA-covered or not, submit to drug testing before returning. **In accordance with applicable federal regulations, a Covered Employee returning to duty after ninety (90) consecutive calendar days or more, must obtain a negative test result prior to the reassignment to safety-sensitive duties. Covered Employees absent from the workplace for ninety (90) days or more shall not be subjected to random testing during the period of absence.**

g. Random Testing

(1) An employee in a safety-sensitive or special-risk position (X-B-1-g(3)) will be required to submit to unannounced and unpredictable drug/alcohol testing when selected pursuant to a random selection process, any time while on duty. The process developed by Human Resources to make the random selections shall be by a scientifically valid method, such as a random number table or computer-

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based random number generator, and ensure that each covered employee will have an equal chance of being tested each time selections are made. Pursuant to 49 C.F.R. Parts 382 and 655, covered employees will be subject to alcohol testing only while performing safety sensitive duties or immediately before or after the performance of such functions. Notwithstanding the foregoing and regardless of applicable federal DOT regulations, any employee may be subject to random testing at any time where such random testing has been agreed to by the employee and the City within a labor contract, last chance agreement or similar contract.

- (2) **The Human Resources Staff will establish a program to annually test randomly a number of employees in safety-sensitive and special-risk positions. Of the total number of employees in these positions, 10 percent will test for alcohol and 50 percent will test for drugs. The Program shall ensure that the dates established for administering random tests are spread reasonable throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are being performed by those subject to such testing. Once notified of selection for random testing, the selected employee must proceed immediately to the testing facility as instructed by the referral.**
- (3) **"Safety-sensitive or special-risk positions" include the following positions:**
 - (a) **Transit and Para-transit vehicle operators and attendants.**
 - (b) **Transit and Para-transit dispatchers, schedulers, and movement controllers.**
 - (c) **Mechanics who perform maintenance on Transit and Para-Transit vehicles and equipment.**
 - (d) Pool lifeguards.
 - (e) Emergency Communications Division dispatchers.
 - (f) Emergency Medical Technicians, Paramedics, Supply Officers and Trainees.
 - (g) Emergency Medical Lieutenants, Captains and Chiefs.
 - (h) Beach lifeguards and officers.
 - (i) Water treatment plant operators and laboratory technicians.
 - (j) Any employee not listed above who, as a condition of employment, must possess a Commercial Drivers License (CDL) or who has the use of heavy equipment or machinery, such as back hoes and chain saws which could, during a momentary lapse of attention, cause great harm to others, or who work with toxic or hazardous chemicals, high voltage, pressurized gasses, or volatile chemicals.

2. Conditions of Testing

a. Confidentiality

- (1) All information including, but not limited to, interviews, reports, statements,

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memoranda, and drug test results received by any City official in conjunction with this Drug Testing Program, will be forwarded to the Human Resources Staff and will be considered confidential communications. Such information will not be disclosed or released except as authorized pursuant to State law or regulations or written consent by the person tested.

- (2) The Human Resources Department will establish and maintain a separate confidential file for Drug Testing Program information. All correspondence and documentation shall be retained for at least one year. The file is exempt from release except as provided in Florida Statutes § 440.102(8).

b. Consent Form

- (1) Employees and applicants must sign a "Testing Consent Form" stating they agree to be tested for drugs and alcohol as provided in this program and they release the City and its employees from liability.
- (2) Refusal to sign the consent form may result in applicant disqualification for further employment or promotion consideration, or an employee's termination from City employment.

c. Refusal to Submit to Testing**(1) Refusals to submit to drug/alcohol testing will consist of the following:**

- (a) Refusing to provide a specimen or report for drug and/or alcohol testing as required by the City.**
- (b) Failing to provide adequate breath for alcohol testing without a valid medical explanation.**
- (c) Failing to provide an adequate urine sample for controlled substance testing without a medical explanation.**
- (d) Failure to permit direct observation of urination when required, or, where directed to attend a direct observation collection, to follow an observer's instructions to raise clothing above waist, lower clothing/underpants, and turn to permit observer to determine if any type of prosthetic or other device is being used to interfere with the collection process.**
- (e) Failing or refusing to submit to a second test directed by the City or collector. Examples of when such second tests may be directed include the following categories: Negative Dilute—the employee will be required to undergo another test. Should this second test result in a negative dilute, the test will be considered a negative, and no additional testing will be required unless directed by the medical review officer (MRO). Invalid Result with no Medical Explanation will require immediate observed recollection. Test Cancelled Results will require an immediate, non-observed recollection when a negative test result is required (i.e.: pre-employment, post-absence, etc.). Test Cancelled Results will require observed recollection if directed by the MRO. Negative-dilute result or invalid result with no medical explanation**

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will require immediate observed recollection.

- (f) **Failing to undergo a medical examination or evaluation when directed by the Medical Review Officer as part of the test result verification process, or when required as part of the “Shy Bladder”/“Shy Lung” evaluation.**
 - (g) Under non-DOT authority, refusing to comply with the Drug-Free Workplace Program policy or disciplinary consequences of this procedure.
 - (h) Under non-DOT authority, refusing to comply with mandatory referrals to the City’s employee assistance program provider or failing to comply with any recommendations made by that provider.
 - (i) **Engaging in conduct that clearly obstructs the testing process, including failing to remain readily available for testing by leaving an accident scene without notifying the department or Human Resources of location, including refusal to empty pockets when directed by collector, behaving in a confrontational manner that disrupts the collection process, failure to wash hands after being directed by the collector, or wearing or possessing prosthetic devices or other items/substances which could be used to interfere with test results.**
 - (j) **A verified MRO report of an altered, adulterated or substituted test sample. Admit to collector or MRO that you adulterated or substituted specimen.**
 - (k) **Failing to appear at the collection facility at date and time directed by the City, via form or verbal instruction of authorized personnel, without prior approval or valid explanation.** Failure of applicants for positions covered under DOT regulations who fail to appear at a testing facility as directed as part of the pre-employment application process shall be considered to have refused by virtue of non-DOT authority.
 - (l) **Failure to sign the certification on Step 2 of the alcohol test form.**
 - (m) **Failure to remain at the testing facility, once the testing process has begun, until the testing process is complete.**
- (2) An employee who is injured in the course and scope of his/her employment and who refuses to submit to a drug test, forfeits his/her eligibility for Florida Workers' Compensation medical and indemnity benefits. Any City group health/medical insurance in effect does not cover injuries sustained in the course and scope of employment.

3. Testing Procedures

a. Licensed/Certified Laboratory

- (1) All drug testing will be conducted by a City-designated laboratory licensed by the State of Florida Agency for Health Care Administration or, **in the case of Department of Transportation employees in safety sensitive positions, certified by the United States Department of Health and Human Services to do drug-**

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testing for Federal agencies. All testing procedures will comply with 49 C.F.R Parts 40, 382 and 655.

- (2) The testing will be conducted with chain of custody procedures in place to ensure accuracy/continuity in specimen collection, handling, transfer and storage.

b. Drugs to be Tested

When testing is conducted in conjunction with this Program, the City may test for any or all of the following drugs: **amphetamines; cannabinoids; cocaine; opiates; phencyclidine;** barbiturates; benzodiazepines; methaqualone; hallucinogens; synthetic narcotics; designer drugs; alcohol, including distilled spirits, wine, malt beverages or an intoxicating liquor; or a metabolite of any of the substances listed in this paragraph. **Screening test cut off levels for the first five listed drugs will be as set forth in 49 C.F.R. Part 40.87.**

c. Reporting Medication Which May Alter or Affect a Drug Test Result

Either before or after being tested, job applicants or employees are required to inform the MRO of the use of prescription or non-prescription medication which may alter or affect the outcome of a drug test as well as any other information relevant to the drug test result. The information provided by the employee or job applicant will be kept confidential and shall be reviewed only by a Medical Review Officer (MRO) interpreting any confirmed positive results. Applicants or employees have the right to consult with the MRO for technical information regarding prescription and non-prescription medication to determine whether the medication has affected a drug or alcohol test result. To aid in this opportunity, the City will provide to the applicant or employee, at the point of referral, a list of the most common medications, by brand name or common name, as well as by chemical name, which may alter or affect a drug test result. (Note: hemp, hemp and/or "coca" products, nor "medical marijuana" will not be accepted as a legitimate explanation for a THC positive test.)

d. Cost of Testing

- (1) The City will pay the costs of initial and confirmation drug/alcohol testing which it requires of job applicants and employees.
- (2) Applicants and employees shall pay the cost of any additional drug and alcohol testing not required by the City, including tests conducted for employees as part of an EAP or drug/alcohol rehabilitation program, or as a condition of returning to work. Payment for such tests are a condition of employment and must be paid under the terms and conditions established by the Human Resources Staff. Former employees who owe the City funds for drug testing or treatment which remain unpaid will not be eligible for re-employment until such amounts are paid.
- (3) Any drug/alcohol test requested by an employee, but not required by the City, will be at the employee's expense. The employee requesting the test may not use the City's "Drug Test Referral" form, nor will the result of the test be reported to the City through its normal testing/reporting procedures.

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e. Collection Site and Laboratory Analysis Procedures

Security of the collection site, chain of custody procedures, privacy of the individual, collection control, integrity and identity of the specimen and transportation of the specimen to the laboratory, as well as laboratory security, laboratory chain of custody, transporting and receiving of specimens, specimen processing, retesting, storage of specimens, instrument calibration, and reporting of results, shall be in accordance with Florida Statutes §§ 112.0455 and 440.102, or 49 U.S.C. § 5331, and the rules established by the State of Florida, Agency for Health Care Administration, or by 49 C.F.R. Parts 40, 382 and 655. These procedures are intended to ensure that specimens are properly collected, identified and tested.

f. Specimen Type Testing

- (1) **Drug testing will be by urinalysis, following the procedures of 49 C.F.R. Part 40 Subpart E and Chapters 112 and 440 of the Florida Statutes.**
- (2) **Normally, alcohol testing will be by a breath alcohol device, following the procedures of 49 C.F.R. Part 40 Subpart L. Evidential breath testing devices (EBTs), approved by the National Highway Traffic Safety Administration, will be operated only by Breath Alcohol Technicians (BATs), qualified under 49 C.F.R. §40.211 or certified under Florida law. EBTs will be able to print out results and will conform to subparts L & M of 49 C.F.R. Alcohol screening tests will be conducted according to the procedures set forth in 49 C.F.R. §40.243. If the screening shows an alcohol concentration of 0.02 or greater, a confirmation test will be performed, according to 49 C.F.R §40.253 & 40.255, within 30 minutes of the screening test. A different BAT, EBT or location is not required.**

4. Release and Review of Test Results

a. Medical Review Officer (MRO)

The City will contract with a private entity, which will employ licensed physicians to act as MROs. The MROs will be responsible for receiving and reviewing all confirmed test results from the testing laboratory. The MROs will contact each donor who tested positive to inquire about possible prescription or over-the-counter medications or other factors which could have caused a positive test result, and to provide technical assistance for the purpose of interpreting the result.

b. Reporting Results

- (1) The testing laboratory will report all drug test results directly to the MRO as soon as possible. The laboratory must provide the MRO quantification of the test results upon request.
- (2) Only specimens which are confirmed as positive on the confirmation test shall be reported positive to an MRO for a specific drug.
- (3) When the MRO receives a confirmed non-negative drug test result from the

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laboratory, the MRO will telephonically contact the donor (actually talk to the donor) on a confidential basis to determine whether the employee wants to discuss the test result. In making this contact, the MRO will explain to the donor that if he or she declines to discuss the result, either face to face or on the phone, the result will be verified as positive or a refusal, as applicable. While the staff of the MRO may make the initial contact with the donor to schedule the discussion, advise the donor to have medical information (e.g. prescriptions or other medical information explaining the result) ready to present to the MRO, and relay the consequences of the donor's refusal to discuss the results with the MRO, MRO staff will not gather any medical information from the donor, nor any information concerning possible explanations for the test result. If the donor declines to schedule a discussion with the MRO concerning results, MRO staff will document this decision, including the date and time the donor so declined. The MRO or his/her staff will make reasonable efforts to contact the donor at the day and evening phone numbers listed on the referral form. Such efforts will include, at a minimum, three (3) attempts to call each number, at reasonable intervals, over a 24-hour period.

- (4) If the MRO is unable to directly contact a donor who has tested positive after contact efforts, such efforts will be documented, including dates and times of calls. If the numbers provided are found to be incorrect (disconnected, wrong number), upon the first attempts to use them, then, without waiting the full 24-hour period, the MRO will notify the Designated Employer Representative (DER) and request that the City direct the donor to contact the MRO, but will not then inform the City that the donor has a confirmed positive, adulterated, substituted or invalid result. The MRO will document the dates and times the City was contacted, and the name of the City staff person contacted. After such notice from the MRO, the City will attempt to contact the donor immediately, using procedures that protect, as much as possible, the confidentiality of the MRO's request that the donor contact the MRO. If the City succeeds in contacting and actually talking to the donor, it will order the donor to comply with the MRO's request for contact immediately, inform the donor of the consequences of failing to contact the MRO within the next 72-hours, document the date and time, and inform the MRO that the foregoing information has been conveyed to the donor. The City will not inform anyone else about its efforts to contact the donor on behalf of the MRO. If the City has made at least three (3) reasonably-spaced attempts over a 24-hour period to contact the donor at both the day and evening phone numbers listed, the City will leave a message for the donor by any reasonable means (including letter, e mail or voice mail) that the donor must contact the MRO, and may thereafter place the donor on unpaid leave pending receipt of test results from the MRO. The City will document the dates and times of the call attempts.
- (5) If the MRO was unable to speak directly with the donor and has reported the result to the DER, or designee, the MRO will allow the donor to present information to the MRO within 60 days of the verification to document that serious illness, injury, or other circumstances unavoidably precluded contact with the MRO and/or DER in the times provided. On the basis of such information, the MRO may reopen the verification, allowing the donor to present information concerning whether there is a legitimate medical explanation of the confirmed test result.

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- (6) If the donor refuses to talk with the MRO regarding a confirmed positive test result, the MRO will validate the result as positive and annotate such refusal in the report.
- (7) The MRO will notify the Human Resources Staff or designee, in writing, of the verified test result, either negative, positive or inconclusive. If the MRO determines that there is a legitimate medical explanation for the positive test result, the MRO will report a negative test result to the City.
- (8) Should the MRO feel that the legal use of a medication would endanger the donor or others, or if the donor is in a safety sensitive or special risk position at the City, the MRO will report the test negative due to a validated prescription, but will request that the individual be placed in a position which would not threaten the safety of the donor or others. The Human Resources Staff or designee will notify the employee's department director, or designee, immediately.

c. Notice to Donor of Test Results

Within three (3) workdays after receipt of a confirmed positive test result from the MRO on an employee or a job applicant, the Human Resources Staff, or designee, will inform the applicant in writing of the positive test results, the consequences of the results, and the options available to the employee/applicant, including the right to file an administrative or legal challenge.

d. Administrative Requirements

The City will contract with a reputable firm which will be responsible for maintaining all records and making all reports required by federal and state laws, regulations and rules. Employees will have access to their personal records.

5. Challenges to Test Results

- a. A copy of the test results will be provided to the donor upon request.
- b. Administrative or Legal Challenge
 - (1) An injured employee may administratively challenge test results by filing a petition for benefits with a Judge of Compensation Claims pursuant to Chapter 440, Florida Statutes.
 - (2) Any donor may challenge the test result in a Court of competent jurisdiction, as may be authorized by general law.
 - (3) A donor who desires to challenge the results of a test is responsible for notifying the testing laboratory to retain the testing sample until the retesting is performed or the matter otherwise closed.

c. Independent Testing

- (1) **DOT employees that have a verified positive drug test result, or a test refusal due**

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to adulteration or substitution, may request a test of their split specimen. However, there is no split specimen testing for an invalid result.

- (2) The donor has 180 days, from time of written notification, **(3 days, from time of MRO notification, for safety-sensitive Department of Transportation employees)** to request independent testing of a portion of the tested specimen after receiving written notification of a positive test result. The laboratory utilized must also be licensed by the State of Florida Agency for Health Care Administration certified by the United States Department of Health and Human Services. Split specimens conducted under DOT regulations must be tested at a laboratory certified by the United States Department of Health and Human Services.
- (3) The independent testing is at the donor's expense. Safety-sensitive Department of Transportation employees will be required to pay in full any and all costs relating to their requested re-test of their original split specimen after such test has been ordered.
- (4) Results of the testing may be used in any administrative or legal challenge.
- (5) Notwithstanding the foregoing, the City reserves the right, where an adequate sample size exists, to request a retest on its own, but only to the extent that such retest can be performed without compromising the ability of the employee or applicant to request his or her own retest, as otherwise permitted under this policy.

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*C. Consequences of Positive Test Results**C. Consequences of Positive Test Results*

1. Non-Employee Applicants

- a. If the results of a pre-employment drug test are confirmed positive, or if the applicant's actions are deemed a refusal to submit to testing, as defined in Section XX.B.2.c.1 (hereinafter defined as "refusals"), a general public applicant will be disqualified from further consideration.
- b. General public applicants are eligible to reapply for employment consideration as provided in that section.
- c. Disqualified after a thirty-six (36) month waiting period.
- d. Once the applicant has taken the pre-employment drug test, he/she must begin work within thirty (30) calendar days from the test date. If thirty (30) calendar days pass prior to the applicant beginning work, the hiring department must send the applicant for a re-test.
- e. **Covered safety-sensitive applicants who have violated the DOT drug and alcohol regulations cannot perform any DOT safety-sensitive duties for any employer until and unless they complete the certified Substance Abuse Professional's evaluation, referral and education/treatment process set forth by the CFR. Additionally, any DOT employee returning to City employment at the end of his/her restriction period will be required to show proof of completing the Substance Abuse Professional's (SAP) evaluation and recommendations and stating his/her ability to return to safety-sensitive duties. This must be done by a written report on letterhead from the SAP.**

2. Employees

- a. Any employee whose results are confirmed positive when tested for any valid reason, or who refuses to submit to testing as defined in Section XX.B.2.c(1), will be immediately removed from duties and discharged. **Covered employees who test positive will be given a list of local substance abuse professionals and treatment providers.**
- b. Notwithstanding the foregoing, non-safety-sensitive employees with a confirmed alcohol concentration of .02 or greater but less than .08, or safety-sensitive employees with confirmed alcohol concentration of .02 but less than .04 will not constitute a "positive." However, such employee will be immediately removed from duties and placed on administrative leave without pay pending disciplinary action for having alcohol in the system during working hours.
- c. Employees terminated from employment due to a positive drug/alcohol test, refusal to test, or violation of the Drug-Free Policy shall be disqualified from re-employment for a period of thirty-six (36) months, as required by Section I.E.2.
- d. The City reserves the right to place an employee on administrative leave with or without pay pending receipt of the results of a drug test or the outcome of an investigation or appeal related to a violation of the City's Drug-Free Workplace Policy.

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C. Consequences of Positive Test Results

3. Request for Review of Termination/Disqualification
 - a. Within five (5) working days after receiving notice of a confirmed positive test result, the donor may submit a written, signed statement to the Human Resources Staff explaining the test results and providing all relevant information the donor believes should result in the automatic dismissal/disqualification provisions of this policy not being applied. The donor may be required to submit additional statements or materials to facilitate the Human Resources Staff's review. The purpose of the submission would be to explain how the positive test result was not the fault of the donor, not to challenge the underlying test result.
 - b. The Human Resources Staff will review the submission and if he/she believes that the donor has provided confirmed, reliable evidence that the positive test result was not in any way the fault of the donor or the result of the donor's actions, inaction, or illegal, careless or negligent behavior, and that the circumstances otherwise may not support the application of the automatic dismissal/disqualification provisions of this policy to the donor, a recommendation to that effect may be made to the City Manager, who shall have sole authority to except the application of the provisions, and may condition any exception on such terms and conditions as he or she may deem appropriate to place upon the donor. The Human Resources Staff will provide the donor with a written response to the submission once a determination has been made. Notwithstanding any reversal of the automatic dismissal/disqualification provisions pursuant to this section, neither confirmed positive test results nor related medical conclusions concerning the reasons for those results may be overturned by the City and the record of same will remain in the applicable confidential drug free workplace program files.

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Section: XX-D

*D. Awareness and Education Program****D. Awareness and Education Program***

1. The Madeira Beach Drug-Free Workplace Awareness and Education Program is designed to help achieve the City's goal of maintaining a drug-free workplace.
2. The Human Resources Staff will establish an awareness and education program, which will include the following elements:
 - a. Ongoing communications to City employees through educational and informational materials advising about the dangers of drug and alcohol abuse.
 - b. Display and distribution to City employees of the City's Drug-Free Workplace Policy and a community service hot-line telephone number for employee assistance concerning drug and alcohol abuse.
 - c. Training of City management and supervisory personnel who are responsible for determining when an individual is subject to testing based on "reasonable suspicion." Such training will encompass the physical, behavioral, and performance indicators of probable drug or alcohol use. **Training will comply with 49 C.F.R. § 382.603 and § 655.14.**
 - d. Maintaining a current resource file of EAP providers the City may have available and providing a representative sampling of local drug/alcohol rehabilitation programs and employee assistance programs.
 - e. Notice of drug-testing requirements on all job vacancy announcements.
 - f. Copies of drug testing policy available for inspection by employees and job applicants.
 - g. The Human Resources Staff or designee, located at 1112 Manatee Avenue West in Bradenton, Florida, phone 941.748.4501 ext. 3865, is designated as the person to whom employees may direct their questions on drug and alcohol related matters.
 - h. **Training of "covered employees" will comply with 49 C.F.R § 655.14.**

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Section: XX-E

*E. Rehabilitation**E. Rehabilitation*

1. The City supports sound treatment efforts. No employee will be retaliated against for voluntarily seeking assistance for problems relating to drug or alcohol use or abuse. Such individuals will be allowed to address and resolve any drug and alcohol related problems on a confidential basis.
2. An employee who realizes that he or she has developed a dependence on drugs, alcohol or any controlled substance should inform his/her supervisor, or the Human Resources Staff, of that condition and seek trained, professional assistance immediately. Employees are encouraged to seek rehabilitation voluntarily (without disciplinary action) prior to any management action, to address and resolve any drug and alcohol related problems on a confidential basis.
3. The City reserves the right to require an employee to use an EAP or drug rehabilitation program. In all cases, the cost will be paid by the employee, through insurance or otherwise.

XXI. PROFESSIONAL DEVELOPMENT

Section: XXI

XXI. PROFESSIONAL DEVELOPMENT

1. To encourage a well-trained, educated workforce, the Board of Commissioners desires through this policy to provide training and education opportunities for its employees to the fullest extent allowed by law.
2. The Human Resources Department shall serve as clearing-house for all education/training opportunities, including but not limited to the development of training programs for all employees with the authority to make such programs mandatory where deemed necessary, and shall otherwise administer the professional development policy. Individual department directors shall have oversight of all issues herein related to the obtaining and maintaining of professional licenses, legal or technical certifications, or similar department-specific or specialized training or testing.
3. An annual report of training and education activities/participation will be generated at the end of each fiscal year to allow the City Manager and department directors to assess trends and set training/education program priorities. A record indicating the employee has attended training and/or participation in tuition reimbursement shall be maintained by Human Resources for each employee.
4. The following policies apply to costs related to degree programs and non-degree courses:
 - a. *Non-degree courses or seminars:* Costs of training courses or seminars not taken as part of a college or university program terminating in the award of a degree may be paid for or reimbursed only if the course or seminar is designed to improve the effectiveness or efficiency of an already qualified employee in the position which the employee already holds and works in, and is not designed to qualify an employee for his/her current duties. However, such costs may be paid for or reimbursed for courses or seminars which will allow an employee to advance within established career ladders, or to obtain or maintain certifications required by state or federal laws or regulatory authorities.
 - b. *Degree programs:* Tuition may be reimbursed at a level not to exceed 80% of the prevailing in-state resident University of South Florida rate. Reimbursement shall be limited to courses which are required as part of an overall academic program leading to a degree related to the employee's current City position, but specifically excludes remedial courses and doctoral dissertation credits. The tuition reimbursement benefit shall only be applicable to actual tuition charged and shall not be used to pay for other college-related costs such as books, fees or campus housing. Reimbursement may only be provided for a course offered by an institution accredited by the Southern Association of Colleges and Schools, or other national or regional accrediting agency recognized by U. S. Secretary of Education, as listed at: www.ed.gov.
5. *Tuition reimbursement conditions:* Reimbursement for college tuition is a discretionary benefit and shall always be subject to the availability of appropriated funds from the Board of Commissioners. Approval of any specific reimbursement request is at the sole discretion of the Human Resources Staff, who must weigh all relevant facts and policies in granting or denying any request. Reimbursement is further conditioned on the award of a "C" grade (or "pass" in pass/fail courses), and upon such standards or priorities as Human Resources may develop for eligibility, such as execution of tuition records release, whether the employee is full or part time, the employee's work, attendance or discipline record, whether the institution is a Florida public institution, private college, or online college, and past ability of the

XXI. PROFESSIONAL DEVELOPMENT

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employee to successfully complete reimbursed courses. Reimbursement may also be conditioned upon an employee's agreeing to reimburse the City for tuition paid should the employee receive subsequent grants or scholarships covering all or part of the City tuition payment, resign prior to a set period of time after the course is taken, or be terminated for cause.

6. Pursuant to paragraph 4(a) above, expenditures for technical training, licensing and/or certifications, renewal of licensing and/or certifications, and testing fees may be paid for or reimbursed as long as they relate to the employee's position or career ladder. Where the department director deems it appropriate, he/she may authorize a one-time pre-payment of fees for a required license or certification exam where such license or certification is contingent upon the passage of such exam.
7. In accordance with 29 C.F.R. § 785.27, attendance at lectures, meetings, training programs and similar activities need not be counted and, consequently, shall not be counted as working time if the following four criteria are met:
 - a. Attendance is outside of the employee's regular working hours;
 - b. Attendance is in fact voluntary;
 - c. The course, lecture, or meeting is not directly related to the employee's job; and
 - d. The employee does not perform any productive work during such attendance.
8. Attendance at training workshops/seminars is permissible during working hours with prior department approval. All employees who attend education or training classes during normal working hours are directed to mark their time cards with the appropriate code as enacted by the City's payroll system.
9. Where reimbursement requests under this policy exceed available funds as they have been budgeted and allocated across the City organization, the Human Resources Staff, subject to approval of the City Manager, may set priorities such as electing to offer only partial reimbursement to requestors, reimburse in a first-come, first-served manner, or in such other manner as is deemed needed to ensure a fair and balanced ability for all employees to obtain the benefit.
10. An employee may not use any City personnel, equipment or supplies as part of the course or program of instruction. Nor may an employee work on projects or homework, or attend a tuition-reimbursed course during assigned working hours, unless such time is covered by approved vacation or compensatory time leave, or leave without pay.
11. NOTE: The establishment of this section does not create an entitlement to any given level of tuition or training funding. Each fiscal year, the Board of Commissioners will budget such funds as it deems appropriate to provide for such expenses, balancing the City's desire to provide training and educational opportunities to its employees vs. the many other funding priorities of the City. To the extent funding is made available in any given fiscal year, the City Manager and Human Resources shall endeavor to ensure such funds are equitably granted among the City's various departments.
12. Human Resources is authorized, subject to approval of the City Manager, to develop such forms, schedules and procedures so as to implement the provisions of this policy.

XXII. TRAVEL TIMESection: XXII

XXII. TRAVEL TIME

1. Ordinary home to work travel is not considered "hours worked" or compensable time. (This includes travel time to and from home for employees assigned a take-home City vehicle.)

2. **Exempt Employees**

Travel time and/or attendance at a meeting, seminar, conference, etc. (voluntary or requested by the City) is compensable only when it occurs during regular working hours during the regularly scheduled workweek.

3. **Non-Exempt Employees**

- a. Travel time and/or attendance at a meeting, seminar, conference, etc., which is for the City's benefit and at the employer's request is compensable, regardless if it occurs within or outside regular working hours. These hours count as hours worked towards overtime.
- b. Travel time and/or attendance at a meeting, seminar, conference, etc., which is voluntary and not required by the employer, will be compensated only during regular scheduled working hours during the regularly scheduled workweek.
- c. Employees driving or riding as passengers will receive compensation in accordance with Section XXII.3.a. and b. above.

XXIII. WORKPLACE VIOLENCE AND THREATS

Section: XXIII

XXIII. WORKPLACE VIOLENCE AND THREATS

1. Madeira Beach does not condone workplace violence, or the threat of violence, by any of its employees, customers, the general public and/or anyone who conducts business with the City. It is the intent of the City to provide an environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.
2. Violence or the threat of violence, by or against any employee of Madeira Beach or other person, is unacceptable and will subject the perpetrator to disciplinary action up to and including discharge and possible criminal charges. The City will work with law enforcement to aid in the prosecution of anyone within or outside of the organization who commits or threatens violence against an employee or employees.
3. Possession, use, or threat of use, of a deadly weapon, including a firearm, ammunition, explosive device, illegal knife, bow and arrow, or other weapon, is not permitted while on duty, on City property, or in a City vehicle, unless specifically required by law.
4. Each incident of violence or threat of violent behavior, whether committed by another employee or an outside individual such as a customer, vendor, or citizen, must be reported immediately to the appropriate management authority (supervisor or Department Director) or directly to the Human Resources Department.
5. Any employee who acts in good faith by reporting real or implied threats or violent behavior will not be subject to any form of retaliation or harassment.
6. False or malicious reports of threats or violent behavior, real or implied, will result in an investigation and be subject to appropriate disciplinary action.

XXIV. UNIFORMS

Section: XXIV

XXIV. UNIFORMS

1. *Purpose*

It is the intent of this policy to provide the following guidelines to City employees required to wear uniforms in the performance of their duties.

1. If the City provides an employee a uniform, the employee shall be required to wear such uniform as a condition of employment.
2. Employees required to wear uniforms shall only wear the uniforms while on duty or commuting. Wearing uniforms at any other time is strictly prohibited.
3. Uniforms are City property and must be returned to the Department upon separation or transfer to a position which does not require use of the uniform.
4. It is the responsibility of the employee to ensure that their uniforms are properly maintained and laundered.
5. Employees may be subject to disciplinary action, up to and/or including dismissal, for violation of any of the above.

2. *Uniform Maintenance Allowance*

1. Employees required (as a condition of employment) to wear, maintain and launder uniforms purchased by their Department will receive a \$*** uniform maintenance allowance each pay period.
2. This allowance is to cover the cost of cleaning and maintaining the uniforms in accordance with departmental standards.
3. Any taxes due on uniform maintenance allowance shall be the responsibility of the employee.

3. *Uniform Rental Service*

1. If the City contracts for uniform rental and maintenance, the City's contract for uniform rentals will provide for maintenance and laundering services for uniforms.
2. If a City uniform maintenance contract provides for laundering of uniforms supplied under the contract, employees will not receive a uniform maintenance allowance.

XXV. MISCELLANEOUS POLICIES

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XXV. MISCELLANEOUS POLICIES**A. *Departmental Rules***

Though Madeira Beach attempts, where possible, to maintain uniform rules generally applicable to all City employees, unique departmental needs may call for customized rules. Therefore, each City department director may promulgate and implement departmental rules based upon operational needs and requirements as a supplement to the Personnel Policy, Rules and Procedures Manual. Such rules, when issued, shall be applicable to employees of that department as though they were published herein.

B. *General Appearance and Work Attire*

The City's management staff are authorized to adopt reasonable standards of personal dress, appearance and hygiene during working hours. Personal appearance should be evaluated based upon the type of work, the work environment, and the amount of public contact required by the job. Designated uniforms or work clothes shall be worn as required by City or departmental policy.

C. *City Property and Supplies*

1. Employees are expected to take proper care in the handling and use of all City equipment and property. Employees are not to remove City property from the premises without authorization by the department director with the exception of those items that have been authorized for use off the premises such as cellular phones, pagers, laptop computers, etc.
2. Employees are not permitted to "recycle," "scavenge" or take for personal use any used or excess supplies, tools or equipment, including construction materials and office supplies, absent a published City policy on re-use or recycling of such materials.
3. Upon request or separation from employment, employees shall return all City property to the City. By accepting employment with the City, employees agree that the replacement cost for all property damaged, lost or not returned may be deducted from the employee's paycheck without need to file any further legal action against the employee, except to the extent a deduction would reduce pay to an hourly rate below the prevailing minimum wage.

D. *City Communications Equipment*

All City equipment, including electronic communications systems such as e mail and voice mail, is the property of the City and is subject to monitoring at any time, with or without further notice, at the sole discretion of management. All City employees are required to comply with the terms of the City's computer and internet use policies, to the extent such are adopted by the Board of Commissioners.

E. *Address and Telephone Number*

Each employee shall provide his or her department with a current physical address, telephone number, and contact information. The employee shall also provide and maintain a current name and telephone number of an emergency contact. The department and Human Resources department must be informed of any change in the above-required data in a timely manner.

F. Solicitation of Contributions, Memberships, or Business

1. The solicitation of contributions, memberships, or business among employees of the City shall not be permitted on City property during the employee's working time except for those charity drives or employee benefit promotions specifically authorized by the Board of Commissioners. Employees may, with department approval, engage in limited, temporary, passive solicitation such as the temporary posting of a girl scout cookie order form, placement in break area of little league candy box, and the like. However, other forms of direct solicitation, including direct or network marketing, whether for charitable, business or other reasons, is prohibited.
2. Employee organizations, their members, agents, representatives, or persons acting on their behalf are prohibited from soliciting employees during working hours. This section shall not be construed to prohibit solicitation by employee organizations during the employee's lunch period or in such areas not specifically devoted to the performance of the employee's official duties. This provision is not intended to conflict with the provisions of the National Labor Relations Act and where any conflict is shown, the Act shall prevail.

G. Statements by City Employees to Attorneys, Law Firms, or Others Concerning Employees or City Business

City employees may from time to time be requested or subpoenaed to make a statement to an investigator, an attorney, or a law firm. These statements may be concerned with an actual or contemplated legal action against the City. Employees are not generally authorized to make representations to anyone regarding City business. Therefore, should any employee receive either a request to make a statement or be subpoenaed regarding City business, the employee shall discuss the matter first with his or her department director and, prior to making any oral or written statements, discuss the matter with the City Attorney's Office. Nothing herein should be interpreted as preventing an employee from speaking with his or her own legal counsel regarding personal legal matters, nor from speaking with a representative of a labor association concerning any grievance, mutual aid or concerted activity as protected by Florida Statutes § 447.301.

H. Media Relations, Requests for Interviews

1. General Policy: The City's official positions and policies are set and communicated to the public by the elected Board of Commissioners and, in certain circumstances such as litigation or administrative matters, the City Manager or City Attorney. However, other City employees may from time to time be asked by various media outlets to provide comments or interviews concerning the City's policies, operations, or other such matters. To ensure that the City's official positions on matters related to the business of the City are communicated to the media in a consistent and informed way, any employee, with the exception of the City Manager or City Attorney or their respective assistants, who receives a request to be interviewed or provide comments concerning City business shall refer the matter to his or her department director or designated media officer for response. Unless first authorized by the applicable department director, employees shall refrain from providing comments or being interviewed regarding City business or policy.

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2. Exceptions: Certain City departments or functions, by their nature, draw frequent media requests for interviews or information. In these circumstances, such as hurricane and other emergency services operations, the department chief or director overseeing the department or function may designate an employee as a “spokesperson” regarding that matter and that employee, once designated, may then provide interviews and information to the media concerning their area of responsibility without the need to obtain individualized prior approval. Such employees should, however, keep the City Administration and, where appropriate Board of Commissioners and the City Attorney informed of interviews or information requests of significant concern.
3. Nothing herein shall be interpreted or applied so as to prevent any employee from the exercise of the personal right to free speech as a citizen, as that right is defined by the federal courts. However, employees in such situations should be clear they are speaking for themselves and refrain from stating or implying that they are speaking for or as representatives of Madeira Beach.

I. Recording Workplace Communications Prohibited

Chapter 934, Florida Statutes, prohibits interception of wire or oral communications by electronic, mechanical or other device without the consent of all parties involved. Recordings related to City business are also public records subject to being retained and inspected. Employees are therefore prohibited from recording any conversations between individuals, whether fellow employees, subordinates or citizens, with or without the permission of all parties, except as otherwise provided by law, as part of an official City broadcast production, as may be authorized by a criminal investigation conducted by law enforcement, or as is authorized by City policies regarding City-owned phones, faxes, radios and computers.

J. Loss of or Failure to Obtain Professional Certification or License

1. Where an employee’s position with the City requires any specific certification, license or other credential, including driver’s license, as a condition of holding that position, the employee is required to obtain and maintain the certification, license or credential, and to provide written proof thereof upon request. An employee who loses or within the provided amount of time fails to obtain the required certification, license or credential for whatever reason, including suspension, revocation, or expiration, has a responsibility to immediately report this fact to his or her department director. Failure to provide timely notice will result in discipline up to termination.
2. Upon timely notification by an employee that he or she has lost or failed to obtain the certification, license or credential, his or her department shall have the following options:
 - (a) Make a reasonable effort to reassign the employee, on a temporary basis, to appropriate and available responsibilities not requiring the certification, license or credential, for a reasonable timeframe up to the subsequent exam/incident follow-up and results notification date to provide continuous employment during his or her efforts to attempt to acquire or obtain reinstatement.
 - (b) Allow him or her to use any available and applicable leave during the allotted timeframe while obtaining reinstatement.
 - (c) Place him or her on a temporary administrative leave of absence without pay not to

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exceed the allotted timeframe.

3. An employee who fails to have his or her certification, license or credential reinstated, or to initially obtain same within the allotted period, may apply for and be considered on a competitive basis for any vacant City position for which he or she is qualified. If the employee is not selected or does not apply for such position prior to expiration of the allotted timeframe, then he or she shall be non-disciplinarily separated for failure to obtain or maintain a necessary job qualification.

K. Searches on City Property

Madeira Beach seeks to provide a safe work environment for all its employees. To that end, the City reserves the right whenever a manager or department director has reasonable suspicion to believe an employee has brought on City premises or work sites alcohol, illegal drugs or controlled substances, or any other illegal or prohibited item, weapon, or stolen property; or has misused City equipment, to search City property including, but not limited to work locations, desks, file or storage cabinets, computer files (including software, hardware, e mail, voice mail, and internet activity), lockers (locked or unlocked), City vehicles and private vehicles parked on City property or being used at the time of search for City business, and all other City equipment.

On a case by case basis, employees may be requested to display personal property for visual inspection. Failure to comply with a search or visual inspection request from supervisory or security personnel will be grounds for discipline. Searches of an employee's personal property, such as purses or briefcases or lunch containers, will take place only in the employee's presence unless an emergency condition exists which would, if confirmed, endanger others or the employee him/herself. Employees who do not wish to subject personal items to possible inspection are strongly advised to leave such items at home.

The City will make every effort to honor the personal dignity of employees during any search but will take appropriate disciplinary action in cases where prohibited items or activities are uncovered, regardless of how such item(s) or activity has been discovered (accidentally or in the process of a search).

L. Employee Arrest or Charge

Employees must inform the City's Human Resources Staff, either verbally or in writing and either personally or via an attorney or family member, etc., within three (3) business days of their being criminally arrested, charged or convicted of any state or federal crime, including for violation of parole or probation. Failure to do so will result in disciplinary action.

M. Use of Tobacco and "e cigarettes"

Use of any tobacco product, is prohibited within City owned/leased buildings, including bathrooms and stairwells, except in areas specifically designated and designed for smoking. Department directors may prohibit the use of, or adopt rules related to the use of, "e cigarettes".

N. City Bulletin Boards and Common Areas

The City may from time to time establish and ordain certain display cases, bulletin boards, or the like for the purpose of posting authorized communications to employees and/or the public. The purpose of such bulletin boards or display cases is not to create a general speech

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area but is instead intended to effectively and efficiently communicate information to citizens and employees. Employees are thus prohibited from posting any item not approved by the City Manager or Human Resources Staff in advance and not related to City government or City employment. Employees are likewise prohibited from removing any posted notice or item from a City display case or bulletin board unless authorized, and from posting, or facilitating or authorizing anyone else to post any advertisement, notice, solicitation or any other printed materials in, on or along any common area of any City building or facility. Common areas include, but are not limited to, break rooms, entryways, doors, elevators, hallways and parking facilities.

O. Communicable Diseases

Madeira Beach government desires to maintain a workplace free from preventable risks of communicable illness or disease. Therefore, all employees of Madeira Beach government are required to properly treat any communicable disease which would present a danger to the health or safety of fellow employees. Employees should, in consultation with their health care providers, take appropriate precautions within the workplace to reduce any infection risks to co-workers. Madeira Beach does not seek to needlessly impose on the medical privacy of its employees and where a communicable disease or illness is adequately managed and treated, the employee need not disclose same to co-workers or the City. However, should the employee desire the assistance of the City in modifying working conditions to prevent risk of transmission, the Human Resources Staff should be consulted and any records generated concerning the medical condition will be treated as confidential as permitted by state and federal law.

P. Inventions and Intellectual Property

Any invention, method, program, publication or other form of intellectual property which is developed by a City employee during work hours or using City equipment or resources, is the property of Madeira Beach. Employees are prohibited from seeking to patent, trademark, service mark, copyright or otherwise register such intellectual property without the prior authorization of the Board of Commissioners.

Q. Letters of Reference

Though all employees have the right to express their personal opinions regarding another current or former co-worker, no employee below the rank of Department Director may write any letter of recommendation, commendation, etc., on City letterhead without the express prior approval of the Department Director or City Manager.

R. Funds Owed by Employees; Debt Collection Calls

Employees may on occasion become indebted to the City. By accepting employment with the City, employees acknowledge and consent to the City's authority to retain or otherwise withhold portions of an employee's compensation to allow such funds to be recovered by the City except to the extent the deduction would reduce regular pay to an hourly rate below the prevailing minimum wage, or as otherwise prohibited by law. The City does not authorize or permit the use of City communication assets, including phones and e mail systems, to be used to make or receive messages related to debt collection efforts. Employees are not authorized to initiate, receive or forward such communications to any other person, and debt collectors violating this policy shall be subject to fines and penalties as provided for by federal and state debt collection practice laws.

XXVI. USE OF COUNTY VEHICLES & USE OF PRIVATE VEHICLES FOR COUNTY BUSINESS

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XXVI. USE OF CITY VEHICLES & USE OF PRIVATE VEHICLES FOR CITY BUSINESS

1. When it is necessary to allow an employee to carry out assigned job duties, an employee may be required to operate and control City-owned vehicles, or to operate a personally owned vehicle for City business. When possessing a City-owned vehicle for such a reason, employees may only use it during the course and scope of their assigned employment duties, and under no circumstances is the vehicle to be used for personal business or pleasure, whether during duty hours or not. However, employees may make work day deviations to use restrooms or take meal/comfort breaks.
2. An employee driving a City vehicle, or a personal vehicle for City business, must have in his or her possession a valid Florida driver's license with any required endorsements or classifications.
3. City vehicles will not be used to transport anyone other than City employees unless the person(s) to be transported are directly involved in the provision of City-related services or otherwise involved in City government operations.
4. In normal circumstances, City owned vehicles are to be driven over the most direct route. Any out of Pinellas County travel must be pre-approved by the employee's director unless emergency circumstances prevent prior approval.
5. No employee shall operate a City vehicle or personal vehicle on City business when any physical or mental impairment causes the employee to be unable to drive. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication or being under the influence of illegal drugs or alcohol.
6. Vehicles driven on City business must be driven in accordance with all applicable traffic and parking laws, including applicable speed limits. Seat belts must be used by vehicle occupants at all times. Each employee shall be personally responsible for any fines or penalties incurred as a result of driving or parking violations while operating a City vehicle.
7. Any accident involving a City-owned vehicle which results in property damage and/or personal injury will be reported without delay to the operator's immediate supervisor, regardless of whether such accident occurs during or after regular duty hours, as well as to the law enforcement agency with jurisdiction over the accident scene.
8. Employees assigned a City vehicle for use to and from work shall be responsible for the personal tax liability for the value of this use. Employees using take-home vehicles must record such use when recording their hours in the City's time and attendance system.
9. City vehicles must be maintained in good working order at all times. An employee who observes an apparent safety or equipment defect regarding vehicle equipment should report it to a supervisor immediately and if the vehicle is unsafe, it shall not be driven further. Employees who have been assigned a take home vehicle shall store the vehicle in a safe, secure area at the employee's residence, keep it locked, and shall take all reasonable measures to prevent damage to the vehicle.

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PRIVATE VEHICLES FOR COUNTY BUSINESS**

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10. Employees are on notice that they should avoid bringing valuable personal items into City vehicles. The City will not be responsible for the loss or theft of any personal items from City vehicles, and City vehicles may be inspected or searched at any time at the City's election.
11. Employees who are assigned a City vehicle, or who are using their personal vehicle while on City business, must refrain from speaking on cellular phones while driving the vehicle unless the employee makes use of a "hands-free" device. Employees not using hands-free devices must bring their vehicles to a full stop in a safe location prior to using a cellular phone. Employees shall not text or type on smart phones while driving.
12. Employees who are assigned a City vehicle, either permanently or on a rotational or pool basis, shall not smoke or use smokeless tobacco within the vehicle.
13. No City employee shall order, authorize or permit any non-City employee, including contractors and temporary workers, to operate any City vehicle, including cars, trucks, earth-moving equipment, airplanes, all-terrain vehicles, and boats, unless same is absolutely required to respond to an extreme emergency or imminent threat to life or safety and no City employee is available to operate the vehicle.
14. Employees may not use a City owned take home vehicle to engage in personal business while commuting to and from work, including shopping trips, stopping at dry cleaners (other than to pick up or drop off City uniforms), or picking up or dropping off school children.
15. Under Florida law, the City may not be required to cover injuries or damages resulting from use of vehicles by its employees unless such use was in the course and scope of employment. Employees are therefore warned that failure to limit use of City vehicles to such purposes may result in personal financial liability for any such damage or injury to the employee or third persons. To the extent the City Manager determines appropriate, employees being granted use of City vehicles or being instructed to use personal vehicles to conduct City business may be required to execute acknowledgement forms concerning issues of liability.
16. Authorization given to an employee to use a City owned vehicle, whether take home, daily assignment, pool or otherwise, is not and shall not be construed as being a guaranteed benefit or entitled form of compensation to the employee. Vehicles are assigned based on operational needs and budgetary limitations and the City may remove, reassign or decommission any of its vehicles at any time within its discretion.
17. The City Manager is authorized to issue operational procedures which govern the administration of this vehicle policy by the departments.

ORDINANCE 2020-17

AN ORDINANCE OF MADEIRA BEACH, FLORIDA, ADOPTING NEW PERSONNEL POLICIES; ESTABLISHING AN ADMINISTRATIVE PROCEDURE FOR EMPLOYEES AND OTHER PERSONS TO REPORT INSTANCES OF ILLEGALITY, MISMANAGEMENT, MALFEASANCE, WASTE OR FRAUD ON THE PART OF CITY EMPLOYEES, AGENTS OR CONTRACTORS; PROVIDING A PROCEDURE FOR INVESTIGATING SUCH ALLEGATIONS; PROVIDING FOR NON-RETALIATION FOR PERSONS WHO REPORT SUCH INSTANCES; PROVIDING A MANNER FOR PERSONS ALLEGING RETALIATION TO SEEK REDRESS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 5.7(C) of the City Charter provides that the Madeira Beach Civil Service Commission is responsible for the preparation of the City’s personnel rules, and that once such proposed rules are concurred with by the City Manager, same shall be proposed to the Board of Commissioners for consideration, which must adopt same by ordinance; and

WHEREAS, the Board of Commissioners and the Civil Service Commission conducted a joint meeting on August 4th 2020 to discuss personnel rules and their application; and

WHEREAS, at that joint meeting the Board of Commissioners requested that the Civil Service Commission, working in conjunction with the City Manager and City Attorney’s Office, develop a proposed replacement to the current personnel policy which has not kept up with changes in employment law and which otherwise was not as clear and comprehensive as the Board of Commissioners desires; and

WHEREAS, the Civil Service Commission, City Manager, and City Attorney’s Office have now engaged in the collaborative process requested by the Board of Commissioners, and the City Manager has submitted the recommended new personnel policy (which is attached hereto and made a part hereof) to the Board of Commissioners for its consideration; and

WHEREAS, the Board of Commissioners, having received the recommendation of its Civil Service Commission and the City Manager, and upon having received relevant advice from the City Attorney’s Office, and after having conducted a public hearing allowing citizens to provide input, finds that it is in the best interests of the City to adopt the proposed personnel policy; and

WHEREAS, Florida Statute § 112.3187, entitled the “Whistle-blower’s Act,” provides certain protections to persons who disclose information regarding illegal or malfeasant conduct on the part of government employees, agents or contractors; and

WHEREAS, subsection (8)(b) of the Act provides for the establishment, by local ordinance, of an administrative procedure to permit disclosure and protect those persons making disclosure from retaliation; and

WHEREAS, the Act provides that where a local government adopts a local ordinance establishing such administrative procedures, that it will have an opportunity to address complaints locally rather than having a complainant proceed directly to court; and

WHEREAS, the Board of City Commissioners of the City of Madeira Beach finds that it is in the City’s best interest to have the first opportunity to review and address allegations of illegal or malfeasant conduct by its employees, agents and contractors prior to the delay and expense of court proceedings, and that therefore a whistleblower code should be adopted.

NOW, THEREFORE, BE IT ORDAINED by the Board of City Commissioners of City of Madeira Beach, Florida, that:

SECTION 1. Ordinance 2019-13 is hereby repealed in its entirety.

SECTION 2. The 2020 Madeira Beach Personnel Policy, Rules, and Procedures Manual, which is attached hereto and made a part hereof), is hereby adopted.

SECTION 3. A new Article II, entitled Whistle-blower Provisions, of Chapter 50 (Personnel), and inclusive of § 50-20 through § 50-25, of the Madeira Beach City Code, is hereby created as follows:

Article II – Whistleblower Provisions

Sec. 50-20. Procedure for disclosing certain information.

(a) An employee, independent contractor working for the city, or employee of an independent contractor working for the city, who has information concerning the following categories is required to disclose that information to the city manager or, if the allegation is against the manager, then to the city attorney (both of whom are designated as the appropriate local officials for receiving whistleblower disclosures per Florida Statute § 112.3187(6)):

(1) Any violation or suspected violation of any federal, state, or local law, rule or regulation committed by an employee or agent of the city or independent contractor of the city, which creates and presents a substantial and specific danger to the public's health, safety, or welfare.

(2) Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of the city or independent contractor of the city.

(b) Pursuant to Florida Statutes § 112.3187(7), to receive statutory whistleblower protection, the information must be disclosed on the employee's, contractor's or employee of a contractor's own initiative, be in writing, and be signed by the employee or person making the disclosure.

Sec. 50-21. Procedure for investigating disclosures.

(a) Once a disclosure has been made, the city manager shall confer with the mayor to determine whether any investigation is warranted and, if so, an appropriate course of investigation of the disclosure, in light of the specifics of the disclosure, the laws and regulations which may apply, the complexity or sophistication of the matters involved in the disclosure, whether criminal violations may be present, and any other relevant factors. Should the city manager be the subject of a disclosure, then the city attorney shall confer with the mayor on a proper course of action.

(b) The level of formality and documentation of any investigation of disclosures made may vary depending on the nature and severity of the disclosure. In any event, the members of the board of commissioners shall be kept updated as appropriate on the progress of any investigation to the extent allowed by applicable confidentiality laws and records exemptions.

(c) Once a determination has been made with respect to how any investigation will proceed, such investigation will be conducted in an expeditious manner. The city manager or city attorney, as the case may be, shall make any criminal or regulatory referrals, recommend modified policies to the board of commissioners, or take any other actions which are deemed necessary as a result of the investigation. Criminal or regulatory referrals may be made even before the investigation is concluded if doing so will prevent or reduce a substantial and specific danger to the public's health, safety, or welfare, will avoid the expiration of any criminal statute of limitations, or where the severity of any criminal allegation is such that a law enforcement referral must promptly be made.

(d) Notwithstanding any of the foregoing, while the city manager may determine that it is in the city's best interests to defer an internal investigation pending resolution of any external criminal or regulatory referral, the city reserves the right to make its own independent determination as to any whistleblower disclosure with respect to the application of the city's own contractual agreements, codes and policies.

Sec. 50-22. Retaliation prohibited.

Neither the city manager, nor an independent contractor of the city, nor any managerial personnel working under either, shall dismiss, discipline, or take any other adverse employment action against any of their respective employees because such employee(s) disclosed, in good faith, information categorized in § 50-20. Neither the city manager, nor any managerial personnel working under the city manager, shall take any adverse regulatory or contractual action that affects the rights or interests of an independent contractor or employee of an independent contractor for having disclosed, in good faith, information categorized in § 50-20.

Sec. 5-23. Persons protected.

(a) Pursuant to Florida Statutes § 112.3187(7), any employee, independent contractor working for the city, or employee of an independent contractor working for the city who discloses information on his or her own initiative and in the manner prescribed in § 50-20(b), is protected from retaliation based on such disclosure.

(b) Any employee, independent contractor working for the city, or employee of an independent contractor working for the city who is requested to participate in any investigation or hearing concerning a disclosure made pursuant to § 50-20 is also protected from retaliation based on such participation.

(c) Any person who refuses to participate in any retaliatory actions prohibited by § 50-22 is protected from retaliation for such refusal.

(d) No person is afforded the protections provided in this article where such person:

- (1) Knowingly submits an untruthful claim or report;
- (2) Commits or intentionally participates in committing the violation or suspected violation for which protection from retaliation is being sought;
- (3) Violates any personnel rule or policy in connection with or related to the subject of the disclosure; or
- (4) Violates any contractual or regulatory provision applicable to city contracts which are the subject of or related to the disclosure.

(c) Nothing herein precludes city from taking any personnel, contractual, or other action against any employee or other person which is predicated upon grounds other than, and would have been taken absent, the employee's or person's disclosure of information under § 50-20.

(d) The provisions of this section may not be used by a person while he or she is under the care, custody, or control of the state correctional system, a county sheriff, or a municipal police department after release therefrom, with respect to circumstances that occurred during any period of incarceration.

Sec. 50-24. Procedure for reviewing complaint of retaliation.

(a) Any complaint of retaliation prohibited under § 50-23 must be filed with human resources or the city manager within 60 days after the alleged retaliatory action. Such complaint must be submitted in writing, setting forth the facts which constitute the alleged retaliation. Once a retaliation complaint has been received, the city manager shall transmit the complaint, along with all other documentation relevant to the complaint, to the city's civil service commission. Upon hearing the complaint, the civil service commission must make findings of fact and a conclusion as to whether prohibited retaliation has occurred. These findings and conclusions shall be reduced to writing and a copy shall be provided to the complaining party.

(b) If it is determined that retaliation has occurred, the city manager shall take such actions as would remedy the effects thereof, including reinstatement of the city employee to the same position held before the adverse action was commenced, or to an equivalent position or reasonable front pay as alternative relief; reinstatement of the employee's full fringe benefits and seniority rights, as appropriate; compensation, if appropriate, for lost wages, benefits, or other lost remuneration caused by the adverse action. The city manager is authorized to promulgate any forms or procedures, not inconsistent with these provisions, to facilitate the complaint review process.

(c) Notwithstanding the foregoing, any city employee who is a member of a collective bargaining agreement may elect to pursue any remedy available pursuant to such agreement, however, such employee may not pursue both remedies.

Sec. 50-25. Confidentiality of information.

(a) Pursuant to Florida Statutes § 112.3188(1), the name or identity of any individual who makes a disclosure in good faith of the kind of information set forth in § 50-20, and in the manner set forth in § 50-21, may not be disclosed, without the written consent of the individual, to anyone other than the appropriate local officials designated in § 50-20(a) and such of their staff as are necessary to investigate the disclosure.

(b) However, such disclosure is permitted if the designated appropriate local official determines that the disclosure of the individual's identity is necessary to prevent a substantial and specific danger to the public's health, safety, or welfare, or to prevent the imminent commission of a crime, or where the disclosure is unavoidable and absolutely necessary during the course of the audit, evaluation, or investigation.

(c) The foregoing confidentiality and record exemption is applicable so long as the investigation is active, as that term is defined in Florida Statutes § 112.3188(2)(c)(1).

(d) Pursuant to Florida Statutes § 112.3188(2)(b)-(c), all information received pursuant to § 50-20 by the city's designated appropriate local officials, or information produced or derived from fact-finding or investigations conducted pursuant to § 50-21, is confidential and exempt from

public records disclosure. However, such information may be disclosed by the designated appropriate local official if it is determined that the disclosure of the information is absolutely necessary to prevent a substantial and specific danger to the public's health, safety, or welfare or to prevent the imminent commission of a crime. Information disclosed under this subsection may be disclosed only to persons who are in a position to prevent the danger to the public's health, safety, or welfare, or to prevent the imminent commission of a crime based on the disclosed information.

(e) Pursuant to Florida Statutes § 112.3188(2)(c)(4), any person who willfully and knowingly discloses information or records made confidential under subsection (a) above commits a misdemeanor of the first degree.

SECTION 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

SECTION 5. The Codifier shall codify the substantive amendments to the Madeira Beach City Code contained in Section 3 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

SECTION 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2020.

John B. Hendricks, Mayor

ATTEST:

Clara VanBlargan, City Clerk

PASSED ON FIRST READING:

PASSED ON SECOND READING: