CARRY OVER #1

Lee County Board Of County Commissioners

Agenda Item Summary

Blue Sheet No. 20060101

1. ACTION REQUESTED/PURPOSE:

Adopt revisions to the following Lee County Policies: 101, 201, 202, 204, 210, 211, 307, 311, 312, 401, 402, 404, 405, 406, 407, 408, 504, 506, 508, 601, 602, 700.

Adoption of the resolution to amend Administrative Code 6-1.

2. WHAT ACTION ACCOMPLISHES:

Updates policies that did not meet the needs of the organization and brings unified policies into effect.

3. MANAGEMENT RECOMMENDATION:

Adopt revisions.

4. Departmental Category:	CO *1	5. Meeting Date: 05-23-2006
6. Agenda:	7. Requirement/Purpose: (specify)	8. Request Initiated:
X Consent	Statute	Commissioner
Administrative	Ordinance	Department Human Resources
Appeals	X Admin. Code 6-1	Division
Public	Other	By: Dinah L. Lewis, Director
Walk-On_		

9. Background:

Ongoing process to update and revise Policies and Procedures Manual.

10. Review	v for Sched	uling:		_				
Department Director	Purchasing or Contracts	Human Resources	Other	County		Budget	Services	County Manager/P.W. Director
1		1 t			Analyst RK 2/6	Risk	Grants M	gr. to lite and
H. Com	mission Act Approve	d Javes S	(41)	JUDAH-NA	4	00,		
_X	Deterred	T 57 (73 KO]	RECEIVED BY COUNTY ADMIN:			The second of th	
	Other و النا	in 5-9-0	ot	COUNTY ADMIN	#	ŝ	th 2/14/06 1	
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MANAGEMENT & PLANNING COMMITTEE AGENDA REQUEST FORM COMMISSION DISTRICT

AGENDA REQUEST FORM COMMISSION DISTRICT #						
PRESENTED BY:	Dinah L. Lewis Human Resources	Director	REQUESTED BY:	Ray Judah Commissioner		
TITLE OF ITEM F	OR THE AGENDA	: Revisions to th	e Lee County Policies	and Procedures Ma	inual	
1. DESCRIPTION	N AND OBJECTIV	E OF THE ISSU	<u>E</u>			
Discuss revision	s to the Lee County	Policies and Proce	dures Manual.			
2. PROPOSE POI	LICY, PROCEDUR	<u>RE OR PLAN OF</u>	<u>ACTION</u>			
Back-up materia	ls to be provided und	der separate cover.				
	t Advantages/Disad		Option Listed)			
4. FINANCIAL IMPACTS/FUNDING SOURCE						
5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS						
6. Mandated: Y	N X		BY WHAT AUTHO	ORITY?		
DEPARTMENT DIRE	CTOR SIGNATURE	COUNTY MANAG	GER SIGNATURE	MEETING DATE	TIME REQUIRED	
in the second	lewin a,ol	Donald	Shewer	5/1/06	10 minutes	



MEMORANDUM FROM THE OFFICE OF THE COUNTY MANAGER

Date: April 18, 2006

To: Commissioner Ray Judah

Commissioner Tammy Hall
Commissioner Robert Janes
Commissioner Douglas St. Cerny

Commissioner John Albion

RE: Policies and Procedures Manual

From: William H. Hammond

Deputy County Manager

Additional information was requested regarding the proposed changes to the Policies and Procedures (P & P) Manual, last discussed at the Board meeting on February 28, 2006. Following is in response to this request.

- 1. Pay for Work During Emergencies (Number 504). No change to the provision for regular pay during the first 40 hours of work has been proposed. This is the fairest and most effective way to handle emergency situations, so that essential personnel are available, and non-essential employees are not exposed to dangerous conditions unnecessarily. A survey of pay practices was conducted by Collier County last fall (results attached), which shows a disparity of practices. Lee County is mid-spectrum.
- 2. <u>Vacation Leave (Number 402).</u> A change to allow for higher vacation accrual as a recruiting tool is proposed, with approval by the County Manager or County Attorney. This change addresses situations where a very experienced candidate with significant vacation accrual is being recruited (especially from another governmental agency). Such authority will allow us to continue to recruit the best. While such an approach will rarely be used, it is very important to have an option.
- 3. <u>Leave of Absence (Number 404).</u> This change clarifies that Directors may grant a Leave of Absence of up to 12 weeks during a five-year period. This is in addition to Family and Medical Leave (up to twelve weeks in any 12-month period), and other standard leaves for military/bereavement/other provided in the P & P Manual. Staff recommends this provision to ensure

consistency and fairness among departments so that employees handling workloads during co-worker absences are not overburdened.

4. Family and Medical Leave (Number 405). Two changes are proposed that require comment. First, a change in the usage of paid vacation time during Family and Medical Leave (FML) would require employees to use all accrued sick and vacation leave before going onto unpaid leave. This change was requested by a number of supervisors, who believe that the employee returning after FML will be more reliably at work thereafter. Currently, the Policy allows employees to keep up to 80 hours of accrual vacation leave before using unpaid leave during FML, resulting in continuing non-FML absences once the employee returns. In some cases, employees handling workloads during co-worker absences have become overburdened under current policy.

Second, a change is proposed to remove grievance procedures as the mechanism for appeals of position restoration after FML, since FML is a non-disciplinary process. Instead, Human Resources is designated as the department to discuss comparable positions. Staff recommends this change for consistency and efficiency in addressing position restoration concerns.

5. Bereavement and Civic Duty leaves (Number 406). This change clarifies that an employee returning from Bereavement Leave may extend the leave by using accrued vacation time. In situations where the employee has a medical need for additional time away, they may also use their accrued sick leave. There have been some situations, under the current policy, where employees have assumed they are able to automatically use sick time after bereavement leave, such as to extend a family vacation. This change clarifies the circumstances for using vacation and sick time in connection with bereavement leave.

Please contact me if you have questions or need additional information. We hope to schedule this item for a Board meeting very soon. Thank you.

FPPA Survey of Emergency Pay Policies November 1, 2005 Mostly Non-bargaining unit

Presented on a Per Day Basis When the Agency is Closed

Alachua	Agency
Worked: Did not provide Did not work: Did not provide	Non exempt
to	
Worked: Regular pay plus hours worked in exce or regular schedule paid for at straight time	Exempt (some exclude Directors and above)

Altamonte Springs Worked: Hours worked paid at 1.5 X Did not work: Regular pay Did not work: Regular pay	Alachua Worked: Did not provide Did not work: Did not provide Did not work: Did not provide Did not work: Did not provice
Worked: Regular pay Did not work: Regular pay	Worked: Regular pay plus hours worked in excess or regular schedule paid for at straight time Did not work: Did not provide

	Boca Raton		Bartow
Plus pay for hours worked Did not work: Regular pay	Worked: Regular pay. OT rules apply.	Did not work. Regular pay	Worked: Hours worked paid at 1.5 X
of City Manager. Did not work: Regular pay	Worked: Regular pay. Additional pay at discretion	Did not work: Regular pay	Worked: Hours worked paid at 1.5 X or

Central FI Regional Trans Authority	Broward County Sheriff
Central FI Regional Worked: Regular pay. OT rules apply Trans Authority Did not work: Regular pay	Worked: Regular pay. OT rules apply Did not work: Regular pay
Worked: Paid at 1 X for all hours worked Did not work: Regular pay.	Worked: Regular pay Did not work: Regular pay

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			Cocoa Beach
Did not work: Regular pay	banks	One half of time worked added to PTO	Worked: Regular pay. OT rules apply.
Did not work: Regular pay	banks	worked added to PTO	Worked: Regular pay. One half of time

		Coral Gables
Did not work: ?	worked	Worked: Paid at 1.5 X for hours
Did not work: ?	worked	Worked: Paid at 1.5 X for hours

Coral Springs Charlotte County Crystal River Dade City	Worked: Regular pay. OT rules apply. Plus up to 8 hours of comp time. Did not work: Regular pay Worked: Regular pay for hours regularly scheduled to work. Plus regular pay for hours worked. OT rules apply. Did not work: Regular pay Worked: Regular pay. OT rules apply Did not work:?? Worked: Regular pay; plus regular pay for number of hours worked. OT rules apply? Did not work: Regular pay Paid according to contract	Worked: Regular pay plus up to 8 hour of comp time Did not work: Regular pay. Worked: Regular pay. Additional b. an hour-by-hour basis if authorized Manager Did not work: Regular pay plus overtime Did not work: ?? Worked: Regular pay; plus hour pecomp time for hours worked. Did not work: Regular pay
		-
, c	Laid according to contract	Worked: Regular pay. Plus paid at hours worked in excess of 40 per w Did not work: Regular pay
Deland	Worked: Regular pay. OT rules apply. Did not work: Leave without pay or may use vacation or comp time	Worked: Regular pay. Plus comp ti on a hour per hour basis for hours worked in excess of regular work w Will be paid only if FEMA reimburse Did not work: Leave without pay or use vacation or comp time
Dunedin	Worked: Regular pay. OT rules apply If work outside normal scheduled hours or if called back, pay is at 1.5 X. Did not work: Regular pay	Worked: Regular pay. Plus 1 X pay worked outside normal scheduled h or for hours worked over 50 per we choose time off in lieu of pay

base pay on ed by the County

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per hour

week t 1.5 X for

week. or may ses. time or pay

Worked: Regular pay. Plus 1 X pay for hours worked outside normal scheduled hours choose time off in lieu of pay or for hours worked over 50 per week. May Did not work: Regular pay

Escambia County	Worked: Regular pay. OT rules apply. Additional pay at discretion of County Mgr. Did not work: ?	Worked: Regular pay plus 1 X pay for hours worked over 40 per week. Did not work:?
Ft Lauderdale	Worked: Regular pay. OT rules apply. Plus credited with 8 hours paid leave time Did not work: Regular pay	Worked: Regular pay plus up to 8 hours of paid leave on an hour for hour basis Did not work: Regular pay
Ft Myers	Worked: Regular pay plus pay at 1.5 X for hours worked. Did not work: Regular pay	Worked: Regular pay Did not work: Regular pay
Ft Walton Beach	Worked: Paid at 1.5 X for hours worked whether or not have worked 40 hours in the week prior to and following full activation. Paid at 2 X for hours worked during a full activation. Did not work: Regular pay for 10 calendar days	Worked: Paid at 1.5 X for hours worked whether or not have worked 40 hours in the week prior to and following full activation. Paid at 2 X for hours worked during a full activation. Did not work: Regular pay for 10 calendar days
Highlands County	Worked: Regular pay. OT rules apply Did not work: Regular pay.	Worked: Regular pay plus pay at 1 X for hours worked in excess of 50 per week Did not work: Regular pay
Hillsborough County	Worked: Regular pay. No additional pay; will receive hour-for-hour additional time off. OT rules apply	Worked: Regular pay. No OT or comp time Did not work: Regular pay for up to 5 days
Homestead	Worked: Paid at 1.5 X for each hour worked Did not work: ?	Worked: Paid at 1.5 X for each hour worked Did not work: ?
Jupiter	Worked: Paid at 1.5 X for all hours worked regardless of whether or not they have worked 40 hours.	Worked: Regular pay plus accue 1 hr leave for each hr worked. Did not work: Regular pay

Did not work: Regular pay

Marion County	Manatee County	Lee County	Lake Mary	Lakeland	Lake County	Keys Energy
Worked: All hours worked paid at 1.5 X. Did not work: Regular pay.	Worked: Hours worked are paid at 2.5 X or accrued as comp time at 1.5 X regardless of # hrs worked in week Did not work: Regular pay.	Worked: Regular pay. OT rules apply. Did not work: Regular pay.	Worked: Paid for early release hour to complete their work day plus pay for the actual hours worked including rest periods. OT rules apply Did not work: ?	Worked: Bargaining unit? Did not work: Bargaining unit?	Worked: Paid 2 X for all hours worked and for all hours worked outside normal work hours or 5 days whichever is less. Did not work: Regular pay up to 5 days	Worked: "Holiday" (regular) pay plus 1.5 X for all hours worked. Did not work: "Holiday" (regular) pay
Worked: Regular pay. Additional pay at discretion of County Manager. Did not work: Regular pay.	Worked: Hours worked are paid at 2.5 X or accrued as comp time at 1.5 X regardless of # hrs worked in week Did not work: Regular pay.	Worked: Regular pay. Plus are paid for hrs worked in excess of 40 hours Did not work: Regular pay.	Worked: Regular pay Add'l comp as determined by City Manager Did not work:?	Worked: Regular pay plus at the City Mgr's discretion 1 X for hours in excess of normal workday or comp time on an hour per hour basis Did not work: Unpaid leave or annual leave	Worked: Regular pay plus pay for all hours worked outside normal work hours or 5 days whichever is less. Did not work: Regular pay up to 5 days	Worked: "Holiday" (regular) pay plus hour per hour comp time for all hours worked in excess of 2 per day. Did not work: "Holiday" (regular) pay

Martin County

Worked: Regular pay. OT rules apply. Did not work: Regular pay.

Worked: Regular pay plus OT for hours in excess of 40 per week.

Did not work: Regular pay.

Worked: Regular pay. OT rules apply Plus 1/4 hr comp time for each hr worked Did not work: Regular pay

Miami

Miramar Worked: All hours worked paid at 1.5 X

Did not work: Regular pay

North Miami Worked: Regular pay. OT rules apply.

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Plus hour per hour vacation credits up

to a maximum of 8 per day.

Paid for all time including rest and meal periods.

Did not work: Regular pay (admin leave)

Ocala Worked: All hours worked paid at OT rate.

Did not work: Regular pay

Okaloosa County Worked: Paid at 2 X for hours worked regardless if work 40 hours per week.

Did not work: Regular pay

Worked: Regular pay. OT rules apply

Orlando

Did not work: Regular pay.

Palm Beach County Worked: Regular pay plus 1.5 X for all Solid Waste Auth. hours worked. OT rules apply.

Did not work: Regular pay

Worked: Regular pay. Plus 1/4 hour comp time for each regularly scheduled hour worked and one hour per each hour worked in excess of regular schedule Did not work: Regular pay

Worked: Regular pay plus accrue comp

Did not work: Regular pay

Worked: Regular pay plus hour per hour vacation credits up to a maximum of 8 per day. Paid for all time including rest and meal periods

Did not work: Regular pay (admin leave)

Worked: All hours worked paid at OT rate.
Did not work: Regular pay

Worked: Paid at 2 X for hours worked regardless if work 40 hours per week. Did not work: Regular pay

Worked: Regular pay. If work more than 50 hours per week, get a comp day. Did not work: Regular pay

Worked: Regular pay plus hour for hour comp time for actual hours worked. At mgmt discretion may instead receive straight time pay in addition to regular pay. Did not work: Regular pay

Port St Lucie	Port of Palm Beach	Ponce Inlet	Pasco County	Pinellas County	Parkland	Palm Beach Sheriff
Worked: Regular pay. OT rules apply. Plus 8 additional hours per day up to a max of 3 days. Did not work: 8 hours per day up to a max of 3 days. After 3 days use vacation or personal time	Worked: Regular pay plus pay at 1.5 X for hours worked. OT rules apply. Did not work: Regular pay.	Worked:Reguiar pay. OT rules apply. Did not work: Must use leave or comp time	Worked; Regular pay. OT rules apply. Did not work: Regular pay	Worked: Paid at OT rate for hours worked. If work less than normal number of hours paid for those unworked hours as well. CIC workers - OT rate for hours worked plus regular pay. Did not work: Regular pay	Worked: Regular pay. OT rules apply. Did not work: Regular pay	Worked: Regular pay. OT rules apply Did not work: Regular pay
Worked: Regular pay plus up to 8 hours per day for a max of 3 days. Did not work: Regular pay	Worked: Regular pay plus hour per hour vacation credit for all hours worked. Did not work: Regular pay	Worked: Regular pay plus additional comp at the discretion of Town Manager if work hours exceed 6/12 hours past normal work week. Paid at 1.5 X or 1 X. Did not work: Must use leave or comp time	Worked: Regular pay plus a maximum of 40 hours of leave on an hour for hour basis based upon the hours worked in excess of normal work hours. Did not work:Regular pay.	Worked: Paid at OT rate for hours worked. If work less than normal number of hours paid for those unworked hours as well. CIC workers - OT rate for hours worked plus regular pay. Did not work: Regular pay	Worked: Regular pay plus comp time Did not work: Regular pay.	Worked: Regular pay. Additional pay at the discretion of the Sheriff Did not work: Regular pay

Venice	Titusville	Tampa	St Pete Beach	St. Lucie County	Sarasota-Manatee Airport Authority	Sarasota County	Punta Gorda
Worked: Paid 2 X for actual hours	Worked: Regular pay. OT rules apply Did not work: Regular pay. At some point must take leave	Worked: Regular pay plus pay for hours actually worked. OT rules apply. Did not work: Regular pay	Worked: Regular pay. OT rules apply Did not work: Regular pay	Worked: Regular pay plus 1.5 X for hours actually worked. OT rules apply. Did not work: Regular pay up to 3 days	Worked: Regular pay plus 1 X for hours actually worked. OT rules apply Did not work: Regular pay.	Worked: Regular pay. OT rules apply. Plus admin leave credit on an hour by hour basis for each hour worked. Did not work: Regular pay. Duration determined by County Manager	Worked: Hours worked paid at 2 X regardless of whether have worked 40 hours in the week. Did not work: Regular pay
Worked: Paid 2 X for actual hours	Worked:Regular pay plus paid at 1 X for all hours worked Did not work: Regular pay. At some point must take leave.	Worked: Regular pay plus pay for hours actually worked at 1 X or hour per hour comp time Did not work: Regular pay	Worked: Regular pay plus additional comp if work in excess of 50 hours per week Did not work: Regular pay	Worked: Regular pay plus 1 X for hours worked in excess of the regular work week at the discretion of the County Mgr. Did not work: Regular pay up to 3 days	Worked: ? Did not work: ?	Worked:Regular pay plus straight time for hours worked or comp time. Did not work: Regular pay.	Worked: Hours worked paid at 1.5 X regardless of whether have worked 40 hours in the week. Did not work: Regular pay

Did not work: Regular pay worked. OT rules apply

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Volusia County Worked: Regular pay. OT rules apply

Did not work: Regular pay

Wellington of whether they have worked 40 hours in the week. 24 hours in a day regardless Worked: 2X hourly rate up to

Did not work: regular pay.

Wilton Manors Did not work: Regular pay in a normal work day hour basis not to exceed hours Plus earn admin leave on an hour for Worked: Regular pay. OT rules apply.

Worked: Regular pay. OT rules apply.

Winter Haven

Did not work: Regular pay for 8 additional hours

Plus pay at straight time or comp time

Plus 8 hours of comp time. Worked: Regular pay. OT rules apply.

Winter Park

Did not work: Regular pay

worked.

Did not work: Regular pay

Did not work: Regular pay or leave added to leave banks Worked: Regular pay plus comp time at 1X

at discretion of Village Manager

Worked: Paid at regular rate; additional pay

Did not work: regular pay.

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worked in excess of 40 per week. Did not work: Regular pay Worked: Regular pay plus 1.5 X for hours

Did not work: Regular pay Worked: Regular pay

hours comp time Worked: Regular pay plus 8

Did not work: Regular pay

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

WHEREAS, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

WHEREAS, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed

CO#1 5-23-06

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amendments are acceptable, serve a public purpose and are consistent with the terms and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

- The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
- The proposed amendment(s) to the Lee County Administrative Code
 6-1 (attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
- 3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
- This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was o	ffered by Commissioner <u>Janes</u> , who
moved its adoption. The motion was se	econded by Commissioner <u>St. Cerny</u> and,
being put to a vote, the vote was as fol	lows:
ROBERT JANES	AYE
DOUGLAS ST. CERNY	AYE
RAY JUDAH	NAY
TAMMARA HALL	AYE
JOHN E. ALBION	AYE
DULY PASSED AND ADOPTED	this <u>23rd</u> day of <u>May</u> , 20 <u>06</u>
ATTEST: CHARLIE GREEN, CLERK	BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA
By: Michele S. Cuoper Deputy Clerk	By: Chairman
	APPROVED AS TO FORM:
	By: <u>Older B. Tark</u> Office of the County Attorney

EXHIBIT A ADMINISTRATIVE CODE BOARD OF COUNTY COMMISSIONERS

CATEGORY: Human Resources/Employees	CODE NUMBER: AC-6-1
TITLE:	ADOPTED: 08/03/88
Personnel Policies and Procedures Manual (Appendix "A")	AMENDED: 10/17/90; 07/24/91; 5/11/94; 07/05/95; 09/23/97; 06/30/98; 04/06/99; 05/18/99; 06/06/00; 06/27/00; 12/12/00; 12/19/00; 05/08/01; 07/24/01; 02/12/02; 06/04/02; 07/09/02; 08//01/02; 10/01/02; 10/08/02; 08/12/03; 08/10/04; 03/01/05; 05/23/06
	ORIGINATING DEPARTMENT: Human Resources

PURPOSE/SCOPE:

This manual contains and describes all existing personnel policies, and was developed as a perpetual guideline for consistent interpretation of personnel policies.

This manual is part of this Administrative Code and is under separate cover as Appendix "A", Personnel Policies and Procedures Manual.

POLICY/PROCEDURE:

ATTACHMENT: Personnel Policies and Procedures Manual is Sent Under Separate Cover as (Appendix "A")

Carney, Shirley A.

From: Figueroa, Stephanie

Sent:Wednesday, May 24, 2006 8:48 AMTo:HR - DEPT REPS; Tong, Lorna J.Cc:Coram, Patricia K.; Lewis, Dinah L.

Subject: Updated Policies

Good Morning! The following information below will be communicated this evening via a broadcast e-mail....

The following policies have been revised based on changes approved by the Lee County BOCC effective May 23, 2006:

Policies 101, 201, 202, 204, 210, 211, 307, 311, 312, 401, 402, 404, 405, 406, 407, 408, 504, 506, 508, 601, 602, 700

Please contact your Employee Relations Representative if you have any questions

Please update your hardcopy manuals using the attached link.

Note to Supervisors: Please print out and post in a prominent area; or distribute to all those employees who do not have access to GroupWise/Outlook.

http://www.lee-county.com/HumanResources/policies/table_of_cont.pdf