

Meeting Date
April 11, 2017



AGENDA	
Section	Public Hearing
Item No.	IV D

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

SUBJECT:	Merit System Pay Policy Revision
DEPT/OFFICE:	Office of Human Resources

Requested Action:  
 It is requested that the Board of County Commissioners, in accordance with Chapter 82 of the Brevard County Code of Ordinances, Personnel, consider in Public Hearing revisions to the Merit System Policy II – Pay Plan.

Summary Explanation & Background:

It is requested that the Board of County Commissioners revise Merit System Policy II, Pay Plan, to incorporate updates made in the pay plan for implementation during declared emergencies. This is in response to changes required to ensure adequate staffing of emergency evacuation shelters to protect some of the most vulnerable members of our community.

Historically, the American Red Cross provided resources and volunteers to staff emergency evacuation shelters on a National, State and Local level. Unfortunately, Red Cross is no longer able to provide those resources and has advised Brevard County that they will be unable to provide staffing for shelter operations in the future. As a result, the burden to ensure adequate staffing of evacuation shelters has shifted to the County.

In response to this development, Brevard County Emergency Management, utilizing a Lean Six Sigma Process, concluded that volunteers alone could not be relied upon as an adequate source of personnel to staff emergency evacuation shelters. Any future shelter worker program had to be expanded to include the potential of having all County employees, who do not otherwise have emergency disaster duties, assigned to staff Special Needs, Pet Friendly and General Population evacuation shelters.

A critical component of this staffing plan involves the treatment of County employee shelter workers under the County's Emergency Pay Policy. In accordance with the current Merit System Pay Plan, employees assigned to a Special Needs shelter shall receive double time for all hours worked at the minimum hourly rate for pay grade 8140 (\$20.78/hr.). Special Needs Shelter Managers shall also receive lead worker pay (\$21.82/hr.). For all other shelter work assignments (Pet Friendly and General Population Shelters) hourly employees receive 1.5x straight time + comp time while salaried employees receive straight pay + 0.5x comp time.

The following changes are recommended for Merit System Policy II, Pay Plan, paragraph II.H.5(b) – Declared Emergency Conditions, for the payment of County employees assigned to Pet Friendly and General Population Shelters:

- 5(b) (ii) Pet Friendly Shelter Workers, Pay Grade 8140. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8140. Pet Friendly Shelter Managers shall also receive lead worker pay.
- 5(b) (iii) General Population Shelter Workers, Pay Grade 8120. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8120. General Population Shelter Managers shall also receive lead worker pay.

Both the feedback received from shelter workers during Hurricane Matthew and the analysis performed by the Lean Six Sigma team indicated that the demands placed on shelter workers in both the Special Needs and Pet Friendly Shelters was more significant than the demands made on workers in the General Population Shelters. The updated pay policy is a reflection of those demands. Updates to the pay plan made in advance of the next declared emergency are necessary to ensure that future shelter worker costs are reportable to FEMA and subject to available disaster recovery funds.

In addition, the Shelter Worker Program Lean Six Sigma Team has proposed an Administrative Order titled Brevard Emergency Support Team (BEST). A draft of that proposed Administrative Order is provided for your review. Upon approval of the recommended changes to the Merit System Pay Plan outlined above, the County Manager will finalize this Administrative Order required to implement the changes necessary to ensure that emergency shelters are properly staffed when needed.

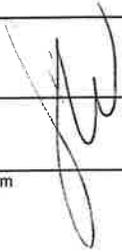
**Fiscal Impact:**

Assuming that the County was facing a Category 3+ storm, up to 6 Special Needs Shelters, 4 Pet Friendly Shelters and 21 General Population Shelters potentially serving over 35,000 residents over a 60 hr. period of shelter operations on 24 hr. shifts would require 1,176 BOCC employees for staffing. The projected wages paid for staffing just the General Population Shelters and Pet Friendly Shelters would be \$1,931,308. Under current FEMA policy, this sum would be reduced by 75% (\$1,448,481) upon receipt of FEMA reimbursements leaving the County with costs of \$482,827.

This represents a worst case scenario for the County in the event that all shelters had to be staffed by County personnel for the most severe storm threat. With the help of our community partners (VOAD, United Way, local church groups, etc.) the County will continue to identify volunteers to supplement County employees assigned to staff shelters in an effort to mitigate these costs.

Exhibits Attached: Merit System Policy II (Strike through and final copies); Draft Brevard Emergency Support Team (BEST) AO

Contract /Agreement (If attached): Reviewed by County Attorney Yes  No  PR

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten 	Frank Abbate 	 Gerard Visco / 55446



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April 12, 2017

**M E M O R A N D U M**

**TO:** Jerry Visco, Human Resources Director

**RE:** Item IV.D., Approval of Revision to the Merit System Policy II – Pay Plan for Language for Payment During Declared Emergency

The Board of County Commissioners, in regular session on April 11, 2017, granted approval for a revision to the Merit System Policy II to the Pay Plan language for payment during declared emergency.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK**

Tammy Rowe, Deputy Clerk

/kp

cc: Finance  
Budget  
County Manager

**BREVARD COUNTY  
MERIT SYSTEM POLICIES  
POLICY II**

Title:           **PAY PLAN**

**I.   OBJECTIVE**

To provide a pay plan directly related to the Classification Plan with appropriate consideration being given to: the relative difficulties and responsibilities existing between various classes of work; prevailing wage rates for comparable types of work found in public and private industry; availability of qualified candidates for recruitment to the County Service; economic conditions found in the labor market; fiscal policies of the Board of County Commissioners; and ratified labor agreements.

**II.   DIRECTIVES**

**A.   COMPETITIVE PAY PLAN**

The Brevard County Board of County Commissioners desires to maintain a pay plan competitive with similar local government jurisdictions in Central Florida.

Each fiscal year, the County Manager or his designee shall make recommendations to the Board of County Commissioners for amendments to the pay plan with appropriate consideration being given to the above stated objectives.

**B.   ADMINISTRATION OF THE PAY PLAN**

All persons in the Career and Appointive Services shall be employed and paid in accordance with the rates established in the pay plan for the classification to which the appointment is made.

The Human Resources Director (working title) shall have the responsibility for day-to-day administration of the pay plan, to include confirming that all hiring rates, salary adjustments, and other payroll changes are in accordance with these policies.

**C.   NEW APPOINTMENT STARTING RATES**

1.   Dependent upon their training, experience or other qualifications, new appointees shall be hired within the normal hiring pay range.
2.   Appointments below the normal hiring pay range may be offered when the candidate is hired as a trainee, intern, student worker or in a special project.
3.   If a candidate's training, experience or other qualifications are directly related to and substantially exceed the minimum requirements of the position; and the candidate is unwilling to accept a salary in the normal hiring pay range; and there are no other eligibles with comparable qualifications; the County Manager, at the request of the appointing authority, is authorized to approve appointment at a rate not to exceed fifty (50%) percent above the normal hiring pay range.
4.   Any new appointments in excess of fifty (50%) percent above the normal hiring pay range, due to extenuating circumstances, shall require approval by the Board of County Commissioners.

## **PAY PLAN POLICY (continued)**

### **D. SALARY INCREASES**

An employee may receive a salary increase by means of a cost of living adjustment (COLA), merit increase, pay grade adjustment, special pay adjustment, promotion or reclassification.

1. **Cost of living adjustments** - the amount of the adjustment shall be approved by the Board of County Commissioners. When a cost of living adjustment is implemented, the pay ranges will be adjusted accordingly.
2. **Merit increases** - the limits of the merit increase shall be set by the Board of County Commissioners. The amount of each employee's merit increase shall be based on performance.
3. **Pay grade adjustments** - all recommendations for adjustments of pay grades of existing classifications and resulting changes to the pay of current employees in the classifications shall be made by the County Manager or his designee, and approved by the Board of County Commissioners.
4. **Special adjustments** - should unusual conditions arise which would justify a pay increase not provided elsewhere in these rules; the County Manager is authorized to approve the pay adjustment.

### **E. PAY UPON PROMOTION**

1. Upon promotion, a fully qualified employee shall have his/her salary increased to at least the minimum of the normal hiring pay range of the classification to which the promotion is made or, at the appointing authority's discretion, up to 10% above the employee's salary before the promotion.
2. Upon promotion to a trainee, an employee shall have his/her salary adjusted to a rate below the minimum of the classification based on the degree the employee's training, experience and other qualifications are below the minimum requirements of the class, unless the employee's rate of pay is already at or above the normal hiring pay range.

The date the employee achieves the minimum of the pay range under a training schedule shall determine the anniversary date for the employee while he/she remains in that pay range.

3. Upon promotion, prior to determining the pay adjustment for the promotion from an overtime eligible to an overtime exempt position, the affected employee's salary may be increased up to a sum equal to the overtime the employee would have normally received (averaged over a three year period).

### **F. PAY UPON RECLASSIFICATION**

When a position is reclassified to a higher class, the employee's rate of pay shall be adjusted to the minimum of the new classification or, if greater, by an amount not to exceed five (5%) percent increase to the employee's pay. When a position is reclassified to a lower class, the employee's rate of pay shall be adjusted to the maximum of the new classification or by an amount not to exceed five (5%) percent decrease to the employee's salary, whichever results in the lower salary. In either case, the anniversary date shall remain unchanged.

## **PAY PLAN POLICY (continued)**

### **G. PAY FOR TEMPORARY WORK - HIGHER CLASSIFICATION**

1. An employee who is specifically assigned to and temporarily performs work in a higher classification than his/her normally assigned tasks shall be paid the minimum of the higher classification, or five (5%) percent above his/her current salary, whichever is greater.
2. Upon completion of the temporary assignment the employee's pay shall be reduced to the rate the employee would normally have obtained without the temporary assignment.
3. This provision shall not apply when employees are acting in their normal role as second in command or assistants and the duties of their position call for assumption of responsibility during the temporary absence of the employee occupying the higher job classification.

### **H. OVERTIME PAY**

1. All employees working in classifications designated in the pay plan as being eligible for overtime shall be paid for any overtime worked in accordance with the provisions of the federal Fair Labor Standards Act (FLSA) as they apply to county government.

It is the Board's policy to comply with applicable wage and hour laws and regulations. The improper pay deductions specified in Title 29 of the Code of Federal Regulations Section 541.602(a) may not be made from the pay of employees who are subject to the salary basis test under the Fair Labor Standards Act.

If an employee believes that an improper deduction has been made to his/her salary, he/she should immediately report this information to his/her appointing authority or the Personnel Manager.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has been made, the employee shall be promptly reimbursed.

2. For purposes of computing overtime, holidays shall be counted as hours worked provided the employee completes the regular workweek.
3. Annual leave, sick leave, emergency leave and other such absences from work will not be counted as time worked for overtime computations, except compensatory time usage, annual leave and excused sick leave, which has been approved at least one (1) week in advance, sick leave used for a work related injury or illness covered under the County's Workers' Compensation program and jury duty shall be counted as time worked for the purposes of computation of overtime, provided the employee works his/her regular work schedule for the remainder of that week.
4. Employees residing in County owned buildings, or who are provided trailer space on a rent free basis, shall not be entitled to receive overtime compensation for residing there.

## PAY PLAN POLICY (continued)

### 5. Declared Emergency Conditions:

- a) When an emergency condition has been declared by the County Manager, where employees in all departments/offices performing non-essential functions on a county-wide basis are granted paid administrative leave by the County Manager to return home because of the emergency conditions, those employees required to work during the emergency conditions shall, in lieu of any paid administrative leave which may be authorized, receive compensatory time for all normally scheduled hours worked in which non-essential employees are granted paid administrative leave and in addition be paid as follows:
  - i. Non-exempt (hourly, overtime eligible) employees shall be paid at a rate of time and one-half for all hours worked during the declared emergency conditions and for all hours worked outside their normal work hours responding as part of recovery efforts for the emergency after the declared emergency conditions have been lifted.
  - ii. Exempt employees (salaried), excluding Directors and Assistant Directors, shall receive in addition to their regular salary, straight time pay plus half time compensatory time for all hours worked outside normal work hours during the declared emergency conditions and for all hours worked outside their normal work hours responding as part of recovery efforts for the emergency after the declared emergency conditions have been lifted.
  - iii. When non-exempt (hourly) and exempt (salaried) employees, excluding Directors and Assistant Directors, are required to be on duty during declared emergency conditions, sleep time shall be included as hours worked.
- b) Any employees assigned to a ~~special-needs~~ shelter shall receive double time for all hours worked at the ~~special-needs~~ shelter. During all work hours at ~~special-needs~~ the shelters, such employees shall be classified as depending upon the shelter at which they worked:
  - i) Special Needs Shelter Workers, Pay Grade 8140. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8140. Special Needs Shelter Managers shall also receive lead worker pay.
  - ii) Pet Friendly Shelter Workers. Pay Grade 8140. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8140. Pet Friendly Shelter Managers shall also receive lead worker pay.
  - iii) General Population Shelter Workers. Pay Grade 8120. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8120. General Population Shelter Managers shall also receive lead worker pay.
- ~~b)c) Employees assigned to the actual physical transport of citizens to and from ~~special-needs~~ shelters shall be compensated as though they are operating under declared emergency conditions.~~
- ~~e)d) Directors and Assistant Directors may receive compensatory time for hours worked outside their normal work hours during the declared emergency conditions.~~
- ~~d)e) Temporary employees shall not be eligible to receive paid administrative leave during a declared emergency. In the event a temporary is required to work during the declared emergency they shall be paid time and one-half for working the emergency event.~~

**PAY PLAN POLICY (continued)**

6. Employees who are required to attend mandatory meetings or training sessions on their normal day off shall be paid for the actual hours worked (mandatory meeting or training session) with a minimum guarantee of three hours straight time pay.
7. Employees who have been scheduled to work on their normal day off and report to work and is told he/she is not needed for the day will be paid a minimum guarantee of three hours straight time pay.

**I. COMPENSATORY TIME**

1. NON-EXEMPT EMPLOYEES:

Non-exempt employees shall be eligible to accrue and carry up to eighty (80) hours of compensatory time in accordance with the provisions of the FLSA.

Non-exempt employees, who resign, are laid off, or otherwise separate from the County Service shall be entitled to be paid for any unused compensatory leave balance earned by them as of the date of termination.

2. OVERTIME EXEMPT EMPLOYEES:

Professional, executive, administrative and other employees designated as overtime exempt personnel shall not normally be entitled to overtime payment or compensatory time off. However, when an operational need arises requiring attendance for prolonged periods of time, or the employee is required to perform services outside the normal scope and responsibilities of his/her position, compensatory time off or straight time payment may be recommended by the appointing authority and authorized by the County Manager, or an Assistant County Manager.

Overtime exempt employees may be provided straight-time compensatory time off for required attendance at meetings outside the employees normal work hours. Prior to granting such compensatory time, the appointing authority should attempt to adjust the employee's normal work schedule on the day of the scheduled meeting.

Overtime exempt employees may accrue and carry up to eighty (80) hours under this provision.

Overtime exempt personnel, who resign, are laid off, or otherwise separate from the County Service in good standing shall be entitled to be paid for any unused compensatory leave balance earned by them as of the date of termination, limited to a maximum of 80 hours. An exempt employee who abandons a position, is dismissed for good cause, fails to give reasonable notice, or otherwise fails to leave the County Service in good standing, shall not be entitled to compensatory time pay upon termination.

3. The County Manager is authorized to waive the eighty (80) hour cap on compensatory time accumulation when in the best interest of the County (i.e., declared emergency conditions). Any such waiver shall be in accordance with the provisions of the FLSA.

**J. PAY UPON DEMOTION**

1. Upon voluntary demotion, an employee's pay may be adjusted by the difference between the minimum salaries of the pay grades. If no adjustment occurs, the employee shall not be

## **PAY PLAN POLICY (continued)**

eligible for an increase if subsequently promoted or reclassified to a classification comparable to the prior classification from which he/she was demoted.

2. Upon involuntary demotion for cause, an employee's pay shall be reduced as appropriate to the circumstances and may include a reduction in job classification.

### **K. PAY IN LIEU OF NOTICE**

1. When determined to be in the best interest of the County, an appointing authority may authorize pay in lieu of notice to an employee being dismissed or resigning.
2. Employees, who have obtained permanent status, may be authorized up to two (2) weeks pay in lieu of notice. Employees who have not completed an original probationary period may be authorized up to one (1) week's pay in lieu of notice. At the sole discretion of the County Manager, amounts in excess of two (2) weeks may be authorized.
3. Employees in appointive service administrative and executive positions, at the level of Administrative Officer II or above, shall be entitled to receive ninety (90) calendar days notice prior to termination of employment for the convenience of the County. This notice would not be required when termination is for cause.

### **L. PAY UPON TERMINATION**

Employees terminating from the County Service will normally receive their final paycheck on the next regularly scheduled payday following the date of termination. Final paychecks shall include any unused leave which may be due the employee. The County Comptroller is authorized to issue a final paycheck in advance of a scheduled payday when requested by the appointing authority.

### **M. WAGES DUE DECEASED EMPLOYEE**

In the event of an employee's death, all wages including any unused leave benefits or travel expenses, which may be due the employee, shall be paid to the officially designated beneficiary of the employee, or if no such beneficiary has been designated, payment may be made in accordance with Florida Statute 222.15.

### **N. RELOCATION EXPENSES**

An out-of-area resident, upon acceptance of an appointment in the County Service, may be authorized relocation expenses subject to the following, limitations:

1. Relocation expenses will only be authorized for key professional or administrative personnel.
2. Requests are justified by the appointing authority and approved by the County Manager.
3. Reimbursement for relocation expenses shall not exceed the actual expenses incurred, and is limited to the equivalent of one (1) month's gross salary of the incumbent.
4. An employee leaving voluntarily prior to fulfilling one (1) year of employment may be required to pay back the relocation expense. The amount to be reimbursed, if any, will be at the sole discretion of the appointing authority.

**PAY PLAN POLICY (continued)**

**O. CALL BACK PAY**

An employee who is off duty and required to return to work on an unscheduled basis shall be eligible for call back pay. Such employees shall be paid for the actual hours worked with a minimum guarantee of three (3) hours straight-time pay. Employees assigned to standby duty shall not be entitled to call back pay.

**P. MERIT PAY AWARDS TO EMPLOYEES AT MAXIMUM OF PAY RANGE**

The County recognizes that persons remaining in the County Service for long periods of time are a valuable asset to the organization. Employees at the maximum of their pay range shall receive any merit increase authorized in II.D.2 of this Policy in the form of a one-time, lump sum award. The amount will be based on the employee's annualized rate of pay at the time of the award.

**Q. INCENTIVE PAY**

Incentive pays may be established by approval of the Board of County Commissioners based on the recommendation of the County Manager.

**R. STANDBY DUTY**

1. In order to provide coverage for services and to handle emergencies during off duty hours, it may be necessary to assign and schedule employees for standby duties. Employees shall be required to be on standby duty when assigned unless excused by supervision.
2. Employees assigned to standby duty will be paid two (2) hours pay at their regular straight time rate for each workday or normal days off while on standby assignment.
3. Employees responding to calls while on standby assignment will be paid for the hours actually worked, plus the standby time pay for that day.
4. Pay for standby duty shall not count as hours worked for overtime purposes.
5. Employees called back for unscheduled overtime purposes shall not be eligible for standby pay.

**S. SHIFT DIFFERENTIAL**

Employees in classifications who are assigned to permanent full time night shifts shall receive a night differential payment. Sixty cents (.60) per hour for hours worked from 11:00 p.m. to 7:00 a.m., known as midnight shift. Forty-five cents (.45) per hour for hours worked from 3:00 p.m. to 11:00 p.m. known as evening shift. Employees who are assigned to permanent, partial night shifts shall receive such shift differential on a pro rata basis as follows:

**EIGHT (8) HOUR SHIFTS**

	<u>EVENING</u>	<u>MIDNIGHT</u>
Four (4) per week	36¢ per hour	48¢ per hour
Three (3) per week	27¢ per hour	36¢ per hour
Two (2) per week	18¢ per hour	24¢ per hour
One (1) per week	09¢ per hour	12¢ per hour

**PAY PLAN POLICY (continued)**

**TEN (10) HOUR SHIFTS**

	<u>EVENING</u>	<u>MIDNIGHT</u>
Three (3) per week	33¢ per hour	45¢ per hour
Two (2) per week	22¢ per hour	30¢ per hour
One (1) per week	11¢ per hour	15¢ per hour

An evening shift is defined as a regularly scheduled shift, in which the majority of the scheduled, regular hours fall between 3:00 p.m. and 11:00 p.m. A midnight shift is defined as a regularly scheduled shift, in which the majority of the scheduled, regular hours fall between 11:00 p.m. and 7:00 a.m. Part time permanent employees whose shift consists of less than eight (8) hours shall not be entitled to the evening shift differential unless the shift extends beyond 10:00 p.m., and shall not be entitled to midnight pay shift differential unless the shift extends beyond 3:00 a.m.

**T. PAY FOR LEADWORKER ASSIGNMENT**

An employee, who has been assigned leadworker responsibilities, is eligible to receive a pay increase of up to five (5%) percent above his/her current pay rate at the beginning of the first pay period after assuming the leadworker duties. At such time the employee is reassigned or the leadworker duties are removed from the position the employee's salary shall be reduced by the same percentage amount it was increased when leadworker responsibilities were assigned. The appointing authority shall be responsible for notifying the Office of Human Resources of leadworker assignments and removals.

**BREVARD COUNTY  
MERIT SYSTEM POLICIES  
POLICY II**

Title:           **PAY PLAN**

**I.    OBJECTIVE**

To provide a pay plan directly related to the Classification Plan with appropriate consideration being given to: the relative difficulties and responsibilities existing between various classes of work; prevailing wage rates for comparable types of work found in public and private industry; availability of qualified candidates for recruitment to the County Service; economic conditions found in the labor market; fiscal policies of the Board of County Commissioners; and ratified labor agreements.

**II.   DIRECTIVES**

**A.    COMPETITIVE PAY PLAN**

The Brevard County Board of County Commissioners desires to maintain a pay plan competitive with similar local government jurisdictions in Central Florida.

Each fiscal year, the County Manager or his designee shall make recommendations to the Board of County Commissioners for amendments to the pay plan with appropriate consideration being given to the above stated objectives.

**B.    ADMINISTRATION OF THE PAY PLAN**

All persons in the Career and Appointive Services shall be employed and paid in accordance with the rates established in the pay plan for the classification to which the appointment is made.

The Human Resources Director (working title) shall have the responsibility for day-to-day administration of the pay plan, to include confirming that all hiring rates, salary adjustments, and other payroll changes are in accordance with these policies.

**C.    NEW APPOINTMENT STARTING RATES**

1.    Dependent upon their training, experience or other qualifications, new appointees shall be hired within the normal hiring pay range.
2.    Appointments below the normal hiring pay range may be offered when the candidate is hired as a trainee, intern, student worker or in a special project.
3.    If a candidate's training, experience or other qualifications are directly related to and substantially exceed the minimum requirements of the position; and the candidate is unwilling to accept a salary in the normal hiring pay range; and there are no other eligibles with comparable qualifications; the County Manager, at the request of the appointing authority, is authorized to approve appointment at a rate not to exceed fifty (50%) percent above the normal hiring pay range.
4.    Any new appointments in excess of fifty (50%) percent above the normal hiring pay range, due to extenuating circumstances, shall require approval by the Board of County Commissioners.

## **PAY PLAN POLICY (continued)**

### **D. SALARY INCREASES**

An employee may receive a salary increase by means of a cost of living adjustment (COLA), merit increase, pay grade adjustment, special pay adjustment, promotion or reclassification.

1. **Cost of living adjustments** - the amount of the adjustment shall be approved by the Board of County Commissioners. When a cost of living adjustment is implemented, the pay ranges will be adjusted accordingly.
2. **Merit increases** - the limits of the merit increase shall be set by the Board of County Commissioners. The amount of each employee's merit increase shall be based on performance.
3. **Pay grade adjustments** - all recommendations for adjustments of pay grades of existing classifications and resulting changes to the pay of current employees in the classifications shall be made by the County Manager or his designee, and approved by the Board of County Commissioners.
4. **Special adjustments** - should unusual conditions arise which would justify a pay increase not provided elsewhere in these rules; the County Manager is authorized to approve the pay adjustment.

### **E. PAY UPON PROMOTION**

1. Upon promotion, a fully qualified employee shall have his/her salary increased to at least the minimum of the normal hiring pay range of the classification to which the promotion is made or, at the appointing authority's discretion, up to 10% above the employee's salary before the promotion.
2. Upon promotion to a trainee, an employee shall have his/her salary adjusted to a rate below the minimum of the classification based on the degree the employee's training, experience and other qualifications are below the minimum requirements of the class, unless the employee's rate of pay is already at or above the normal hiring pay range.

The date the employee achieves the minimum of the pay range under a training schedule shall determine the anniversary date for the employee while he/she remains in that pay range.

3. Upon promotion, prior to determining the pay adjustment for the promotion from an overtime eligible to an overtime exempt position, the affected employee's salary may be increased up to a sum equal to the overtime the employee would have normally received (averaged over a three year period).

### **F. PAY UPON RECLASSIFICATION**

When a position is reclassified to a higher class, the employee's rate of pay shall be adjusted to the minimum of the new classification or, if greater, by an amount not to exceed five (5%) percent increase to the employee's pay. When a position is reclassified to a lower class, the employee's rate of pay shall be adjusted to the maximum of the new classification or by an amount not to exceed five (5%) percent decrease to the employee's salary, whichever results in the lower salary. In either case, the anniversary date shall remain unchanged.

## **PAY PLAN POLICY (continued)**

### **G. PAY FOR TEMPORARY WORK - HIGHER CLASSIFICATION**

1. An employee who is specifically assigned to and temporarily performs work in a higher classification than his/her normally assigned tasks shall be paid the minimum of the higher classification, or five (5%) percent above his/her current salary, whichever is greater.
2. Upon completion of the temporary assignment the employee's pay shall be reduced to the rate the employee would normally have obtained without the temporary assignment.
3. This provision shall not apply when employees are acting in their normal role as second in command or assistants and the duties of their position call for assumption of responsibility during the temporary absence of the employee occupying the higher job classification.

### **H. OVERTIME PAY**

1. All employees working in classifications designated in the pay plan as being eligible for overtime shall be paid for any overtime worked in accordance with the provisions of the federal Fair Labor Standards Act (FLSA) as they apply to county government.

It is the Board's policy to comply with applicable wage and hour laws and regulations. The improper pay deductions specified in Title 29 of the Code of Federal Regulations Section 541.602(a) may not be made from the pay of employees who are subject to the salary basis test under the Fair Labor Standards Act.

If an employee believes that an improper deduction has been made to his/her salary, he/she should immediately report this information to his/her appointing authority or the Personnel Manager.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has been made, the employee shall be promptly reimbursed.

2. For purposes of computing overtime, holidays shall be counted as hours worked provided the employee completes the regular workweek.
3. Annual leave, sick leave, emergency leave and other such absences from work will not be counted as time worked for overtime computations, except compensatory time usage, annual leave and excused sick leave, which has been approved at least one (1) week in advance, sick leave used for a work related injury or illness covered under the County's Workers' Compensation program and jury duty shall be counted as time worked for the purposes of computation of overtime, provided the employee works his/her regular work schedule for the remainder of that week.
4. Employees residing in County owned buildings, or who are provided trailer space on a rent free basis, shall not be entitled to receive overtime compensation for residing there.

## PAY PLAN POLICY (continued)

### 5. Declared Emergency Conditions:

- a) When an emergency condition has been declared by the County Manager, where employees in all departments/offices performing non-essential functions on a county-wide basis are granted paid administrative leave by the County Manager to return home because of the emergency conditions, those employees required to work during the emergency conditions shall, in lieu of any paid administrative leave which may be authorized, receive compensatory time for all normally scheduled hours worked in which non-essential employees are granted paid administrative leave and in addition be paid as follows:
  - i. non-exempt (hourly, overtime eligible) employees shall be paid at a rate of time and one-half for all hours worked during the declared emergency conditions and for all hours worked outside their normal work hours responding as part of recovery efforts for the emergency after the declared emergency conditions have been lifted.
  - ii. exempt employees (salaried), excluding Directors and Assistant Directors, shall receive in addition to their regular salary, straight time pay plus half time compensatory time for all hours worked outside normal work hours during the declared emergency conditions and for all hours worked outside their normal work hours responding as part of recovery efforts for the emergency after the declared emergency conditions have been lifted.
  - iii. When non-exempt (hourly) and exempt (salaried) employees, excluding Directors and Assistant Directors, are required to be on duty during declared emergency conditions, sleep time shall be included as hours worked.
- b) Any employees assigned to a shelter shall receive double time for all hours worked at the shelter. During all work hours at the shelters, such employees shall be classified depending upon the shelter at which they worked:
  - i. Special Needs Shelter Workers, Pay Grade 8140. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8140. Special Needs Shelter Managers shall also receive lead worker pay.
  - ii. Pet Friendly Shelter Workers, Pay Grade 8140. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8140. Pet Friendly Shelter Managers shall also receive lead worker pay.
  - iii. General Population Shelter Workers, Pay Grade 8120. The hourly rate for all such assignments shall be the minimum hourly rate for pay grade 8120. General Population Shelter Managers shall also receive lead worker pay.
- c) Employees assigned to the actual physical transport of citizens to and from shelters shall be compensated as though they are operating under declared emergency conditions.
- d) Directors and Assistant Directors may receive compensatory time for hours worked outside their normal work hours during the declared emergency conditions.
- e) Temporary employees shall not be eligible to receive paid administrative leave during a declared emergency. In the event a temporary is required to work during

## **PAY PLAN POLICY (continued)**

the declared emergency they shall be paid time and one-half for working the emergency event.

6. Employees who are required to attend mandatory meetings or training sessions on their normal day off shall be paid for the actual hours worked (mandatory meeting or training session) with a minimum guarantee of three hours straight time pay.
7. Employees who have been scheduled to work on their normal day off and report to work and is told he/she is not needed for the day will be paid a minimum guarantee of three hours straight time pay.

### **I. COMPENSATORY TIME**

#### **1. NON-EXEMPT EMPLOYEES:**

Non-exempt employees shall be eligible to accrue and carry up to eighty (80) hours of compensatory time in accordance with the provisions of the FLSA.

Non-exempt employees, who resign, are laid off, or otherwise separate from the County Service shall be entitled to be paid for any unused compensatory leave balance earned by them as of the date of termination.

#### **2. OVERTIME EXEMPT EMPLOYEES:**

Professional, executive, administrative and other employees designated as overtime exempt personnel shall not normally be entitled to overtime payment or compensatory time off. However, when an operational need arises requiring attendance for prolonged periods of time, or the employee is required to perform services outside the normal scope and responsibilities of his/her position, compensatory time off or straight time payment may be recommended by the appointing authority and authorized by the County Manager, or an Assistant County Manager.

Overtime exempt employees may be provided straight-time compensatory time off for required attendance at meetings outside the employees normal work hours. Prior to granting such compensatory time, the appointing authority should attempt to adjust the employee's normal work schedule on the day of the scheduled meeting.

Overtime exempt employees may accrue and carry up to eighty (80) hours under this provision.

Overtime exempt personnel, who resign, are laid off, or otherwise separate from the County Service in good standing shall be entitled to be paid for any unused compensatory leave balance earned by them as of the date of termination, limited to a maximum of 80 hours. An exempt employee who abandons a position, is dismissed for good cause, fails to give reasonable notice, or otherwise fails to leave the County Service in good standing, shall not be entitled to compensatory time pay upon termination.

3. The County Manager is authorized to waive the eighty (80) hour cap on compensatory time accumulation when in the best interest of the County (i.e., declared emergency conditions). Any such waiver shall be in accordance with the provisions of the FLSA.

### **J. PAY UPON DEMOTION**

## **PAY PLAN POLICY (continued)**

1. Upon voluntary demotion, an employee's pay may be adjusted by the difference between the minimum salaries of the pay grades. If no adjustment occurs, the employee shall not be eligible for an increase if subsequently promoted or reclassified to a classification comparable to the prior classification from which he/she was demoted.
2. Upon involuntary demotion for cause, an employee's pay shall be reduced as appropriate to the circumstances and may include a reduction in job classification.

### **K. PAY IN LIEU OF NOTICE**

1. When determined to be in the best interest of the County, an appointing authority may authorize pay in lieu of notice to an employee being dismissed or resigning.
2. Employees, who have obtained permanent status, may be authorized up to two (2) weeks pay in lieu of notice. Employees who have not completed an original probationary period may be authorized up to one (1) week's pay in lieu of notice. At the sole discretion of the County Manager, amounts in excess of two (2) weeks may be authorized.
3. Employees in appointive service administrative and executive positions, at the level of Administrative Officer II or above, shall be entitled to receive ninety (90) calendar days notice prior to termination of employment for the convenience of the County. This notice would not be required when termination is for cause.

### **L. PAY UPON TERMINATION**

Employees terminating from the County Service will normally receive their final paycheck on the next regularly scheduled payday following the date of termination. Final paychecks shall include any unused leave which may be due the employee. The County Comptroller is authorized to issue a final paycheck in advance of a scheduled payday when requested by the appointing authority.

### **M. WAGES DUE DECEASED EMPLOYEE**

In the event of an employee's death, all wages including any unused leave benefits or travel expenses, which may be due the employee, shall be paid to the officially designated beneficiary of the employee, or if no such beneficiary has been designated, payment may be made in accordance with Florida Statute 222.15.

### **N. RELOCATION EXPENSES**

An out-of-area resident, upon acceptance of an appointment in the County Service, may be authorized relocation expenses subject to the following, limitations:

1. Relocation expenses will only be authorized for key professional or administrative personnel.
2. Requests are justified by the appointing authority and approved by the County Manager.
3. Reimbursement for relocation expenses shall not exceed the actual expenses incurred, and is limited to the equivalent of one (1) month's gross salary of the incumbent.

## **PAY PLAN POLICY (continued)**

4. An employee leaving voluntarily prior to fulfilling one (1) year of employment may be required to pay back the relocation expense. The amount to be reimbursed, if any, will be at the sole discretion of the appointing authority.

### **O. CALL BACK PAY**

An employee who is off duty and required to return to work on an unscheduled basis shall be eligible for call back pay. Such employees shall be paid for the actual hours worked with a minimum guarantee of three (3) hours straight-time pay. Employees assigned to standby duty shall not be entitled to call back pay.

### **P. MERIT PAY AWARDS TO EMPLOYEES AT MAXIMUM OF PAY RANGE**

The County recognizes that persons remaining in the County Service for long periods of time are a valuable asset to the organization. Employees at the maximum of their pay range shall receive any merit increase authorized in II.D.2 of this Policy in the form of a one-time, lump sum award. The amount will be based on the employee's annualized rate of pay at the time of the award.

### **Q. INCENTIVE PAY**

Incentive pays may be established by approval of the Board of County Commissioners based on the recommendation of the County Manager.

### **R. STANDBY DUTY**

1. In order to provide coverage for services and to handle emergencies during off duty hours, it may be necessary to assign and schedule employees for standby duties. Employees shall be required to be on standby duty when assigned unless excused by supervision.
2. Employees assigned to standby duty will be paid two (2) hours pay at their regular straight time rate for each workday or normal days off while on standby assignment.
3. Employees responding to calls while on standby assignment will be paid for the hours actually worked, plus the standby time pay for that day.
4. Pay for standby duty shall not count as hours worked for overtime purposes.
5. Employees called back for unscheduled overtime purposes shall not be eligible for standby pay.

### **S. SHIFT DIFFERENTIAL**

Employees in classifications who are assigned to permanent full time night shifts shall receive a night differential payment. Sixty cents (.60) per hour for hours worked from 11:00 p.m. to 7:00 a.m., known as midnight shift. Forty-five cents (.45) per hour for hours worked from 3:00 p.m. to 11:00 p.m. known as evening shift. Employees who are assigned to permanent, partial night shifts shall receive such shift differential on a pro rata basis as follows:

#### **EIGHT (8) HOUR SHIFTS**

EVENING

MIDNIGHT

**PAY PLAN POLICY (continued)**

Four (4) per week	36¢ per hour	48¢ per hour
Three (3) per week	27¢ per hour	36¢ per hour
Two (2) per week	18¢ per hour	24¢ per hour
One (1) per week	09¢ per hour	12¢ per hour

**TEN (10) HOUR SHIFTS**

	<u>EVENING</u>	<u>MIDNIGHT</u>
Three (3) per week	33¢ per hour	45¢ per hour
Two (2) per week	22¢ per hour	30¢ per hour
One (1) per week	11¢ per hour	15¢ per hour

An evening shift is defined as a regularly scheduled shift, in which the majority of the scheduled, regular hours fall between 3:00 p.m. and 11:00 p.m. A midnight shift is defined as a regularly scheduled shift, in which the majority of the scheduled, regular hours fall between 11:00 p.m. and 7:00 a.m. Part time permanent employees whose shift consists of less than eight (8) hours shall not be entitled to the evening shift differential unless the shift extends beyond 10:00 p.m., and shall not be entitled to midnight pay shift differential unless the shift extends beyond 3:00 a.m.

**T. PAY FOR LEADWORKER ASSIGNMENT**

An employee, who has been assigned leadworker responsibilities, is eligible to receive a pay increase of up to five (5%) percent above his/her current pay rate at the beginning of the first pay period after assuming the leadworker duties. At such time the employee is reassigned or the leadworker duties are removed from the position the employee's salary shall be reduced by the same percentage amount it was increased when leadworker responsibilities were assigned. The appointing authority shall be responsible for notifying the Office of Human Resources of leadworker assignments and removals.



## ADMINISTRATIVE ORDER

NUMBER:  
CANCELS  
APPROVED:  
ORIGINATOR:  
REVIEW:

### TITLE: Brevard Emergency Support Team (BEST)

#### I. PURPOSE AND SCOPE

Brevard County is vulnerable to a multitude of natural, man-made and technical hazards which can result in the need for Brevard County Government to take actions in order to protect the lives and property of residents and visitors. Past incidents have proven that relying on community volunteers for key staffing support during emergencies is not sufficient to meet the need or provide the desired level of service. Recognizing that the majority of job descriptions include emergency duty assignments and understanding the wealth of talented county employees that are in place, Brevard County has developed a program to maximize these powerful resources.

This Administrative Order establishes the Brevard County Support Team (BEST) as the instrument for training, managing, and tasking all county employees to serve as disaster workers during times of emergencies.

#### II. DEFINITIONS AND REFERENCES

Brevard County recognizes all employees are essential during times of emergency, and that all employees can be grouped into the following three categories:

**Department Essential** – Employees required to report to their designated work location to ensure the operation of essential departmental functions when the County has suspended normal operations.

**Available Essential** – Employees without essential departmental functions and available to be assigned other emergency roles when the County has suspended normal operations.

**Exempt Essential** – Employees who have extenuating circumstances that meet the exemption criteria as outlined in the Brevard Emergency Support Team Program Guide.

### **Brevard Emergency Support Team (BEST) Program Guide –**

Comprehensive guidebook for the implementation and management of the BEST program that details roles/responsibilities of participating agencies and employees, positions and tasks, procedures and mechanisms for administering the program, training plan, and expectations. It is maintained by Emergency Management and updated as warranted to reflect the evolving needs of the program.

### **III. PROCEDURE**

The Brevard Emergency Support Team program will be managed by Emergency Management and will require the active participation of all county departments. Annually, each department will be required to ensure that every applicable employee has been assigned an essential status (Department Essential, Available Essential and Exempt Essential) and provide a completed list to Emergency Management. For those employees listed as Department Essential, a detailed description of the functions they will be performing must also be included. The status assigned will be reviewed with each employee by the appropriate department and any issues can be elevated to that Department's Director, who has the final approving authority.

Prior to assuming the duties of employment, all County employees must understand that they may be called upon to support County functions during emergencies. County employees are assigned their emergency role at the commencement of their employment based on the needs of their departments and their respective knowledge, skills, and abilities. All employees will be assigned to essential countywide tasks by their appointing authority for Department essential assignments or Emergency Management for other essential emergency roles. Employees shall be provided with Brevard Emergency Support Team training as part of their mandatory on-boarding courses.

Employees may be activated to serve in their pre-designated emergency roles prior to an identified emergency, such as a hurricane, or immediately after a disaster, such as a tornado, or at the direction of the County Manager. The employee will function in their emergency support role until the task is completed or reassigned to another organization or group. All non-departmental disaster work assignments will fall under the command and control of the Brevard County Emergency Operations Center (EOC) during activations.

County employees serving in emergency support roles will be paid under the County's merit pay policy. Claims sustained by public employees while

performing disaster services shall be filed as worker compensation claims under the same authorities and guidelines as with all employees within the organization.

#### **IV. CONSIDERATIONS**

**Training** – All employees who do not have department-identified essential roles will be provided with shelter training within a year of implementation of this Administrative Order, as part of the new hire process, and will attend annual refresher training. Shelter managers will be trained as part of the Employee Development Program, with annual refresher training.

**Special Needs Shelters** – Those individuals who completed a Level 1 background check completed as part of their normal hiring process will be first assigned as a special needs shelter worker or manager. County employees may also volunteer for the Special Needs Shelters, once they have obtained a Level 1 background check. Every five years all Special Needs Shelter workers and managers will coordinate with their department to be rescreened to stay assigned to a Special Needs Shelter.

**Exemption from Essential Duty** - Employees that would like to be considered for an exemption must complete the Essential Duty Exemption Form, and submit it to their immediate supervisor. If the request is not approved, the employee may appeal it to the Department Director. The Human Resources Director will review all exemption requests to ensure organizational consistency.

Employees must submit their Essential Duty Exemption Form request by March 1st. Exemptions are valid for one year, and must be submitted annually. It is the employee's responsibility to update and maintain this exemption status. If at any time the exemption status changes, the employee should complete the Essential Duty Exemption Form.

The criteria for exemption considerations are:

- Single parent with children under the age of 18 living in the same household for whom they are the natural/adoptive parent or legal guardian.
- Employee is the sole caregiver for a special needs member of the employee's immediate family. The definition of "immediate family" can be found within the Merit System.
- Employees with special needs or documented medical conditions that would prohibit them from performing the assignment. This requires a

written statement from a licensed physician that specifies the work restriction(s).

- Employee's significant other has hurricane duty assignment and the employee has dependent children under the age of 18 living in the same household for which they are the parent or legal guardian.

**V. RESERVATION OF AUTHORITY**

The authority to issue and/or revise this Administrative Order is reserved to the County Manager and/or the Policy Group when the Comprehensive Emergency Management Plan has been activated for an emergency.

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Stockton Whitten, County Manager



Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: B.O.C.C. COUNTY MANAGER'S OFF
Address: 2725 JUDGE FRAN JAMIESON WAY
MELBOURNE FL 32940
USA

Ad No.: 0002029250
Pymt Method Invoice
Net Amt: \$151.96

Run Times: 1

No. of Affidavits: 1

Run Dates: 04/03/17

Text of Ad:

AD# 2029250 4/3/2017

NOTICE OF INTENT

The following will be considered in a public hearing by the Board of County Commissioners of Brevard County, Florida, on April 11, 2017 at 6:00 p.m., Government Center, Building C, 2725 Judge Fran Jamieson Way, Viera, Fl. 32940
The proposed revisions may be viewed at the Office of the Clerk to the Board of County Commissioners, 400 South Street, Second Floor, Titusville, Florida or the Office of Human Resources, 2725 Judge Fran Jamieson Way, Bldg. B, Viera, Florida.

Merit System Policy II, Pay Plan, revised language for payment during declared emergency conditions.

All persons for or against said Policy revision can be heard at said time and place.
If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a verbatim record of the proceedings, and that, for such purpose, he or she 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.
Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.
In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this proceeding should contact the County Manager's Office no later than 48 hours prior to the meeting at 633-2001 for assistance.
By order of the Board of County Commissioners of Brevard County, Florida.
Scott Ellis, Clerk
Board of County Commissioners
Brevard County Florida

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By order of the Board of County Commissioners of Brevard County, Florida.

SCOTT ELLIS, CLERK  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

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FLORIDA TODAY: Please publish in the Legal Advertisements Section of the Newspaper on Tuesday, March 28, 2017. Send bill and proof of publications to:

KAREN CONDE, PERSONNEL MANAGER  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
2725 JUDGE FRAN JAMIESON WAY  
VIERA, FL 32940

**PLEASE CALL** Karen Conde at (321) 633-2031 to confirm receipt of facsimile transmission and ability to publish on requested date. Thank you.