

RESOLUTION NO. 2017-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENICE, SARASOTA COUNTY, FLORIDA, AMENDING THE CITY OF VENICE PERSONNEL PROCEDURES AND RULES, 2013 EDITION, SECTION 1.14 RECLASSIFICATION, AND 1.35 COMMUNICATION DEVICES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Sec. 50-35 of the Code of Ordinances provides that amendments to the City of Venice Personnel Procedures and Rules may be made and adopted by resolution; and

WHEREAS, city council wishes to amend the City of Venice Personnel Procedures and Rules, 2013 edition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. Section 1.14, Reclassification, of the City of Venice Personnel Procedures and Rules, 2013 edition is hereby amended as follows:

1.14 RECLASSIFICATION

Conditions necessary for successful reclassification

By default, all positions are assumed to be correctly graded per section 1.12 above. However, a successful reclassification can occur when one or more of the following conditions exist:

1. A position is deemed incorrectly graded in comparison with the market.

For the purposes of this section, "market" is defined as comparable employment in the public sector for the same or similar work of employees exhibiting like or similar skills under the same or similar working conditions in the local operating area. The city retains discretion as to what level of tolerance is acceptable in terms of deviation from the market and reserves the right to construe "local" differently by position. Furthermore, for the purposes of this section, the grade of the position will be examined rather than the particular salary of an incumbent employee; i.e. reclassification should not be used as an opportunity to increase an employee's pay within the range for a correctly-graded position.

2. There have been permanent and substantial changes to a position.

I.e. since the time of classification or last reclassification, there has been changes to the duties and responsibilities of the position that are ongoing and deemed substantial enough to warrant a change

of classification.

Conditions that do not trigger successful reclassification

- Utilization of new technology to do essentially the same job
- Additional work volume
- Temporary (non-permanent) changes to job duties
- Non-substantial changes to job duties
- The performance level of any incumbent employee
- Incumbent employee is earning low in the range of a correctly-graded position

Process for reclassification

The reclassification committee shall meet on an annual basis or as directed by the city manager to review the reclassification requests that have been submitted since the previous meeting. A period of 60 calendar days lead time will be provided from the date of announcement each year to the submittal deadline. Date of submittal shall be considered the date received by ~~administrative services~~ human resources. The reclassification committee shall consist of the ~~assistant city manager~~, director of ~~administrative services~~ human resources, finance director, department head and union president, if applicable. The first-line supervisor may attend the reclassification committee meeting at the discretion of the department director and may present any information in support of the reclassification request, but will leave the meeting before the voting/decision-making stage. The committee will consider each reclassification request on the basis of the criteria listed above. A reclassification can result in a grade increase, lateral move, or grade decrease.

Reclassification requests can be initiated by:

1. The employee and first-line supervisor as a unit, or;
2. Any level of supervisor in the chain above the employee and first-line supervisor, or;
3. The director of ~~administrative services~~ human resources, or;
4. The city manager.

The party initiating the request completes the request for reclassification form. The request is then sent to all levels of supervisor apart from the city manager for their recommendation with justification. In order to proceed to the committee review stage, the reclassification request must have the approval of the department director. All reclassification request submissions must be received by ~~administrative services~~ human resources prior to the deadline announced by ~~administrative services~~ human resources or they will not be reviewed until the following meeting. The city manager may agree to exceptions on a case by case basis on the basis of extenuating circumstances. All reclassification requests will be processed prior to committee review to ensure that all documents are completed. Any incomplete request will be returned with a request for completion. Recommendations of the committee will be submitted to the city manager for consideration.

The city manager will make the final determination, including grade and rate of pay, on the basis of the criteria listed above. The city manager will also make the final determination on effective date.

SECTION 3. Section 1.35, Communication Devices, of the City of Venice Personnel Procedures and Rules, 2013 edition is hereby amended as follows:

1.35 COMMUNICATION DEVICES

~~The city recognizes that some employees are assigned communication devices such as cell phones, beepers, laptops and other devices that extend the employee's communication with the workplace. All related issues shall be determined by the department director based on their operational needs.~~

~~All forms of texting on cell phones are prohibited, with the exception of transitory messages reasonably necessary during a declared emergency. In the event of a declared emergency, texting shall be of a transitory nature. Transitory is defined by the Florida Department of State as "records that are created primarily to communicate information of short-term value." Examples of transitory messages are provided in the Records Schedule, which can be obtained from your Records Coordinator. "Transitory messages are not intended to formalize or perpetuate knowledge and do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt."~~

~~Any use of a communication device (whether issued by the city or personally owned) by a city official to conduct city business must be compliant with Florida Statutes Chapter 119 and the city's Information Technology Usage Policy.~~

Any use of a communication device (whether issued by the city or personally owned) to conduct city business must comply with the city's Information Technology Usage Policy.

City-Issued Devices

The city recognizes that some employees are assigned communication devices such as cell phones, beepers, laptops, tablets and other devices that extend the employee's communication with the workplace.

Email and text messaging are allowed on city-owned communication devices as all city-owned communication devices are centrally managed and configured to capture all messages. All other forms of messaging are prohibited. All employees who are assigned a city-owned communication device are prohibited from making any changes or deletions that would prevent the capturing, storage or retrieval of messages, or the tracking of the communication device.

Non-City Devices

All forms of messaging (e.g. email, instant messaging, text messaging, multimedia messaging, chat messaging, social networking, or any other current or future electronic messaging technology or device) city business on non-city communication devices is prohibited, except as provided below. Any message inadvertently sent or received shall not be deleted and must be provided to the city within 30 days from the date the message was sent or received.

Non-City Devices –Declared Emergency

All forms of messaging (e.g. email, instant messaging, text messaging, multimedia messaging, chat

messaging, social networking, or any other current or future electronic messaging technology or device) city business on non-city communication devices are allowed only during a declared emergency. Any message sent or received during a declared emergency shall not be deleted and must be provided to the city within 30 days from the date the declared emergency ends.

Non-City Devices – Outside of Declared Emergency

Minimal use of non-city devices for messaging is permissible only if the content of the message is entirely transitory in nature, e.g., emailing a supervisor to advise of a late arrival to work.

SECTION 4. All references to “administrative services” shall be changed to “human resources”.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 12TH DAY OF DECEMBER 2017.

John W. Holic, Mayor

ATTEST

Lori Stelzer, MMC, City Clerk

I, **LORI STELZER**, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City Council of said city at a meeting thereof duly convened and held on the 12th day of December 2017, a quorum being present.

WITNESS my hand and the official seal of said City this 12th day of December 2017.

(SEAL)

Lori Stelzer, MMC, City Clerk

Approved as to form:

David Persson, City Attorney