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ORDINANCE 2023-208

AN ORDINANCE AMENDING SECTION 33.201 (TALENT MANAGEMENT DIVISION; ESTABLISHMENT; FUNCTIONS), PART 2 (TALENT MANAGEMENT DIVISION), CHAPTER 33 (EMPLOYEE SERVICES DEPARTMENT), ORDINANCE CODE, TO SPECIFY COMPENSATION FUNCTIONS AND RENUMBER SUBSECTIONS; AMENDING SECTIONS 33.301 (COMPENSATION AND BENEFITS DIVISION; ESTABLISHMENT; FUNCTIONS) AND 33.302 (DIVISION CHIEF), PART 3 (COMPENSATION AND BENEFITS DIVISION), CHAPTER 33, ORDINANCE CODE, TO REMOVE REFERENCES TO COMPENSATION, SPECIFY THE FUNCTIONS OF THE BENEFITS DIVISION, AND RENUMBER SUBSECTIONS; AMENDING SECTION 111.471 (CITY FITNESS AND WELLNESS SPECIAL REVENUE FUND), PART 4 (ADMINISTRATION, PERSONNEL AND CODE REGULATION), CHAPTER 111 (SPECIAL REVENUE AND TRUST ACCOUNTS), ORDINANCE CODE, TO REMOVE REFERENCES TO COMPENSATION; AMENDING SECTION 116.301 (SERVICE RAISES GENERALLY), PART 3 (SERVICE RAISES), CHAPTER 116 (EMPLOYEES AND EMPLOYEE BENEFITS), ORDINANCE CODE, TO REMOVE THE DOLLAR AMOUNT, SET PARAMETERS FOR SUCH RAISES, AND DELETE REFERENCES TO CERTAIN LAWS OF FLORIDA; AMENDING SECTION 116.909 (ADVERTISING FOR CERTAIN APPOINTED POSITIONS), PART 9 (PERSONNEL REGULATIONS), CHAPTER 116, (EMPLOYEES AND EMPLOYEE BENEFITS), ORDINANCE

CODE, TO ALLOW BOARDS AND COMMISSIONS TO FILL APPOINTED POSITIONS WITH CURRENT EMPLOYEES WITHOUT POSTING OR ADVERTISING THE POSITION; REPEALING AND REPLACING SECTION 116.910 (RESIDENCE WITHIN CITY PREFERRED), PART 9 (PERSONNEL REGULATIONS), CHAPTER 116. (EMPLOYEES AND EMPLOYEE BENEFITS), ORDINANCE CODE, IN ITS ENTIRETY; CREATING A NEW SECTION 116.910, PART 9 (PERSONNEL REGULATIONS), CHAPTER (EMPLOYEES AND EMPLOYEE BENEFITS), ORDINANCE CODE, TO CODIFY CRIMINAL HISTORY RECORDS CHECKS AS REQUIRED BY SEC. 166.0442, FLORIDA STATUTES; AMENDING SECTION 116.1402 (SPECIAL COMMITTEE ON GROUP HEALTH BENEFITS), PART 14 (GROUP HEALTH PLAN), CHAPTER 116, ORDINANCE CODE, TO REMOVE REFERENCES TO COMPENSATION; AMENDING SECTION 129.101 (PAY GRADES, SALARY RANGES, AND SALARIES), CHAPTER 129 (COMPENSATION OF CITY OFFICIALS AND EMPLOYEES), ORDINANCE CODE, TO REMOVE TABLE OF PAY GRADES AND SALARY RANGES, REMOVE THE CAP ON ADJUSTMENTS TO SALARY RANGES, REMOVE THE AUTHORIZATION OF RETROACTIVE SALARY ADJUSTMENTS, MAKE STYLISTIC CHANGES, AND CORRECT

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BE IT ORDAINED by the Council of the City of Jacksonville:

SCRIVENER'S ERRORS; PROVIDING CODIFICATION

INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

Section 1. Amending Section 33.201 (Talent Management Division; establishment; functions), Part 2 (TALENT MANAGEMENT DIVISION), Chapter 33 (EMPLOYEE SERVICES DEPARTMENT), Ordinance Code.

Section 33.201 (Talent Management Division; establishment; functions), Part 2 (TALENT MANAGEMENT DIVISION), Chapter 33 (EMPLOYEE SERVICES DEPARTMENT), Ordinance Code, is hereby amended to read as follows:

CHAPTER 33 - EMPLOYEE SERVICES DEPARTMENT.

* *

PART 2. - TALENT MANAGEMENT DIVISION

Sec. 33.201. - Talent Management Division; establishment; functions.

There is created a Talent Management Division. The functions of the Division shall include, but not be limited to, the following:

* * *

- (b) Design, administer and maintain a human resources information system. Maintain employee personnel files and coordinate the payment of salary earned and all applicable incentive payments.
- (\underline{bc}) Prepare and maintain an up-to-date record of the authority, duties and responsibilities of each position, including those in the classified civil service as well as exempt and unclassified positions.
- (ed) Develop, manage, deliver, and evaluate programs for employee development and training, and develop or contract for retraining facilities and programs for employees affected by changes in their employment resulting from merger or elimination of units of the Consolidated Government.
- (de) Develop and implement strategic human resources consulting services and support to departments and agencies of the government, to include recruitment and selection tools, job evaluation and pricing, salary and wage analyses, and work force planning.
- (ef) Develop and prepare job specifications for the various classes of positions in the classified civil service and for

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positions not under civil service.

(\(\frac{\pmathcal{e}}{g}\)) Conduct examinations as required by the civil service and personnel rules and regulations to determine qualifications for jobs covered by the civil service, and freely advertise job placement opportunities and requirements in connection with the administration of examinations.

 $(\underline{\mathfrak{gh}})$ Establish a listing of eligible persons as a result of examinations, and certify to the appropriate appointing authority the names of the persons qualified by examination for employment or promotion.

Section 2. Amending Section 33.301 (Compensation and Benefits Division; establishment; functions) and Section 33.302 (Division Chief), Part 3 (COMPENSATION AND BENEFITS DIVISION), Chapter 33 (EMPLOYEE SERVICES DEPARTMENT), Ordinance Code. Section 33.301 (Compensation and Benefits Division; establishment; functions) and Section 33.302 (Division Chief), Part 3 (COMPENSATION AND BENEFITS DIVISION), Chapter 33 (EMPLOYEE SERVICES DEPARTMENT), Ordinance Code, is hereby amended to read as follows:

CHAPTER 33 - EMPLOYEE SERVICES DEPARTMENT.

* *

PART 3. - COMPENSATION AND BENEFITS DIVISION

* * *

Sec. 33.301. - Compensation and Benefits Division; establishment; functions.

There is created a Compensation and Benefits Division. The functions of the Division shall include, but not be limited to, the following:

(a) Develop and manage programs of job analyses, salary and wage analyses, employee benefit analyses and general research in relation to personnel management; adopt, alter, amend or modify a job classification plan; and adopt a job pay plan which

shall, among other things, include a plan for vacation time, sick leave time, overtime compensation, service raises and military leave for non-represented employees and employment, and administer collective bargaining agreements covering represented employees. The job pay plan adopted by the Employee Services Department shall be uniform within any job classification. Design, develop, manage, and administer employee health and wellness related benefit programs, including but not limited to, group health, dental and vision, flexible spending, group life insurance, and cafeteria plans.

(b) Develop and deliver programs and services to support employees, including healthcare, life, deferred compensation, and "cafeteria" insurance benefit plans, the processing of personnel transactions, records maintenance, career counseling, and the Employee Assistance Program. Design, develop, manage, and administer, in coordination with the Treasury Division, the deferred compensation 457(b) and defined contribution 401(a) plans.

* * *

- (d) Manage and administer employee benefit programs, including but not limited to, group health and group life insurance, deferred compensation, cafeteria plans, and other benefit plans and programs (not including workers' compensation).
- (ed) Administer the Employee Assistance Program to include development of policies and procedures, training, assessment, counseling and referral services.
- $(\underline{\pm e})$ Ensure, in coordination with the Accounting Division, the accuracy of payroll certification in accordance with applicable ordinances, laws, and rules and regulations.
- (f) Ensure compliance with state and federal employee benefit laws by researching and implementing any changes to any of the

benefit plans and programs administered by the Division.
Sec. 33.302. - Division Chief.

The Chief of Compensation and Benefits is the division chief of the Compensation and Benefits Division. The Chief shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor. The Chief shall have a bachelor's degree from an accredited institution, proven administrative ability, and at least five years of experience in the field of compensation and employee benefits management.

Section 3. Amending Section 111.471 (City Fitness and Wellness Special Revenue Fund), Part 4 (ADMINISTRATION, PERSONNEL AND CODE REGULATION), Chapter 111 (SPECIAL REVENUE AND TRUST ACCOUNTS), Ordinance Code. Section 111.471 (City Fitness and Wellness Special Revenue Fund), Part 4 (ADMINISTRATION, PERSONNEL AND CODE REGULATION), Chapter 111 (SPECIAL REVENUE AND TRUST ACCOUNTS), Ordinance Code, is hereby amended to read as follows:

Chapter 111 - SPECIAL REVENUE AND TRUST ACCOUNTS

* * *

PART 4. - ADMINISTRATION, PERSONNEL AND CODE REGULATION

* * *

Sec. 111.471. - City Fitness and Wellness Special Revenue Fund.

There is created the City Fitness and Wellness Special Revenue Fund, a permanent, ongoing special revenue fund into which shall be deposited all gifts, grants, donations, and other forms of contribution. Such funds, including the interest earned thereon, shall be used for fitness activities, wellness programs, equipment, biometric testing services, rewards programs, and all other products and services deemed necessary, including the services of an independent contractor to manage the programs. The Compensation and Benefits Division of the Employee Services Department shall administer the fund.

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Section 4. Amending Section 116.301 (Service raises generally), PART 3 (SERVICE RAISES), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code. Section 116.301 (Service raises generally), PART 3 (SERVICE RAISES), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code, is hereby amended to read as follows:

Chapter 116 - EMPLOYEES AND EMPLOYEE BENEFITS

* * *

PART 3. - SERVICE RAISES

Sec. 116.301. - Service raises generally.

All permanent regular full time employees of the City, including peace officers and members of the Fire Operations Division, Fire Rescue Division and Fire Services Division, and officers of the City, except those who are elected by the people, shall receive for each five years of continuous service with the $City_T$ a service raise. The service raise will be an amount no higher than the amount approved by City Council in any collective bargaining agreement negotiated by the City. The length of service will be computed from their the employee's respective dates date of initial or adjusted employment_T. an increase in salary of \$300 per year for every five-year period of continuous service; provided, that when a different amount of increase or different period of continuous service is provided for in a collective bargaining agreement approved by the Council and in force and effect whether such difference is included by express language; or as a result of a general savings clause continuing benefits generally, and not specifically bargained for, including service raises; in either case pursuant to which the members of the bargaining unit who are entitled thereto are receiving the service raise, then the terms of the agreement shall prevail over the corresponding terms this Section. This increase shall be in addition to any general or special raises which may be granted from time to time, but (except

as provided in the preceding sentence for collective bargaining agreements) \$300 shall be the maximum amount of service pay raise or increase payable for any five-year period, and shall include those raises provided by Laws of Fla. Ch. 22340(1943), as amended, and Laws of Fla. Ch. 27524(1951), as amended.

Section 5. Amending Section 116.909 (Advertising for certain appointed positions), PART 9 (PERSONNEL REGULATIONS), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code. Section 116.909 (Advertising for certain appointed positions), PART 9 (PERSONNEL REGULATIONS), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code, is hereby amended to read as follows:

Chapter 116. EMPLOYEES AND EMPLOYEE BENEFITS

* * *

PART 9. PERSONNEL REGULATIONS

* * *

Sec. 116.909. - Advertising for certain appointed positions.

Appointed positions of the City of Jacksonville which that are confirmed by the City Council or require appointment by a Board or Commission may be filled by persons currently working for the City of Jacksonville current City employees without the necessity of posting for or advertising the position. Posting for and advertising the availability of the position shall be a precondition to appointment of any person not then presently working for the City of Jacksonville to an appointed position confirmed by the Council.

Section 6. Repealing Section 116.910 (Residence within City preferred), PART 9 (PERSONNEL REGULATIONS), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code, in its entirety. Section 116.910 (Residence within City preferred), PART 9 (PERSONNEL REGULATIONS), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code, a copy of which is attached hereto as Exhibit 1, is hereby repealed in its entirety.

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Creating a new Section 116.910 (Criminal history Section 7. 9 (PERSONNEL REGULATIONS), Chapter 116, records check), PART (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code. A new Section 116.910 (Criminal history records check), PART (PERSONNEL REGULATIONS), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code, is hereby created to read as follows:

Sec. 116.910. Criminal history records check.

Pursuant to Florida Statute 166.0442, the City may, in its sole discretion, require state and national criminal history screening for any position of municipal employment or appointment that the City finds is critical to security or public safety. Each person applying for, or continuing employment in, any such position shall be required to be fingerprinted. The fingerprints shall be submitted to the Department of Law Enforcement for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check. The information obtained from these checks may be used by the City to determine a person's eligibility for such employment or appointment, or for continued employment or appointment. This section does not preempt or prevent any other background screening, including other criminal background checks, that the City may lawfully undertake. All prospective and current employees shall be required to authorize the City to conduct all appropriate background screening as a condition of employment with the City.

Amending Section 116.1402 (Special Committee on Section 8. Group Health Benefits), PART 14 (GROUP HEALTH PLAN), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code. Section 116.1402 (Special Committee on Group Health Benefits), PART 14 (GROUP HEALTH PLAN), Chapter 116, (EMPLOYEES AND EMPLOYEE BENEFITS), Ordinance Code, is hereby amended to read as follows:

Chapter 116 - EMPLOYEES AND EMPLOYEE BENEFITS

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PART 14. - GROUP HEALTH PLAN

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Sec. 116.1402. - Special Committee on Group Health Benefits.

Pursuant to Chapter 33, Part 3, Ordinance Code, the Compensation and Benefits Division of the Employee Services Department is responsible for ensuring the efficient and effective procurement of health and life insurance for the benefit of the City and its employees and retirees. To share information with plan participants about benefits and options included in the Group Health Plan, the Compensation and Benefits Division shall meet semiannually with a Special Committee on Group Health Benefits which shall be composed of the following:

- (a) The Director of Employee Services, or his/her designee;
- (b) The Director of Finance and Administration, or his/her designee;
- (c) One Council Member, appointed by the Council President;
- (d) The Council Auditor, or his/her designee;
- (e) One member from each employee collective bargaining unit as designated by the respective unions;
- (f) One City retiree actively participating in the Group Health Plan as designated by Employee Services;

The Special Committee on Group Health Benefits shall convene only for the purpose of receiving a semiannual update from the Employee Services Department on the status and projection of the Group Health Plan. The Special Committee on Group Health Benefits shall not make any recommendations, provide advice, vote, nor engage in any decision-making regarding the Group Health Plan. Individual committee members are permitted to express their individual input regarding the Group Health Plan to the Employee Services Department. The Employee Services Department will keep the committee informed of major developments to

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the Group Health Plan for informational purposes only. It is the intent of the City of Jacksonville that the Special Committee on Group Health Benefits only engage in informational-gathering activities and duties, and shall not be considered a board or commission for purposes of Florida's Open Meetings Law.

Section 9. Amending Section 129.101 (Pay Grades, Salary Ranges, and Salaries), Chapter 129 (COMPENSATION OF CITY OFFICIALS AND EMPLOYEES), Ordinance Code. Section 129.101 (Pay Grades, Salary Ranges, and Salaries), Chapter 129 (COMPENSATION OF CITY OFFICIALS AND EMPLOYEES), Ordinance Code, is hereby amended as follows:

Chapter 129 - COMPENSATION OF CITY OFFICIALS AND EMPLOYEES Sec. 129.101. - Pay Grades, Salary Ranges, and Salaries.

* * *

(c) Pay Grades and Salary Ranges. There are fixed the following pay grades and associated salary ranges for appointed officials of the City: Pay grades and salary ranges are readily available on the City's internal website.

Pay Grade	Range Minimum	Range Maximum
1903	\$49,006.09	\$78,409.74
1904	\$52 , 926.58	\$84,682.53
1905	\$57 , 160.71	\$91,457.14
1906	\$61,733.57	\$98,773.71
1907	\$66,672.26	\$106,675.62
1908	\$72,006.04	\$115 , 209.66
1909	\$77,766.52	\$124 , 426.44
1910	\$83,987.84	\$134 , 380.54
1911	\$ 90,706.87	\$145 , 130.99
1912	\$97 , 963.42	\$156 , 741.47
1913	\$105,800.49	\$169 , 280.78

1914	\$114 , 264.53	\$182,823.25
1915	\$123 , 405.69	\$197 , 449.10
1916	\$133 , 278.15	\$213 , 245.04
1917	\$143 , 940.40	\$230 , 304.64
1918	\$155 , 455.63	\$248 , 729.01

Pay grades and salary ranges shall be evaluated and assigned, on a yearly basis each October 1, to positions as follows:

* * *

- (2) Beginning in 2006, the Director of the Employee Services Department shall recommend the assignment of each appointed official position, and the Assistant Chief position in the Jacksonville Sheriff's Office to one of the pay grades identified in this subsection (a), based on market studies, internal equity, and other relevant factors. Taking these recommendations into consideration, the Sheriff shall have final authority to assign each appointed official position and the Assistant Chief position in the Jacksonville Sheriff's Office to one of these pay grades.
- (3) When any appointed official position is created or materially changed, the Director of the Employee Services Department shall review the new or changed position and recommend its assignment to one of the pay grades established in this Subsection (bc), based on market studies, internal equity, and other relevant factors. Final authority for assignment to a pay grade shall belong to the Mayor for positions in the Executive Branch. Final authority for assignment to a pay grade shall belong to the Sheriff for positions in the Jacksonville Sheriff's Office.
- (4) The Director of the Employee Services Department is

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hereby authorized to adjust the salary ranges established by this Section no more frequently than once each year to be effective on October 1, with the first such adjustment occurring in October 2006. Salary range increases shall not exceed the percentage by which the U.S. Department of Labor's Bureau of Labor Statistics Employment Cost Index has changed on a year-over-year basis since the most recent establishment or adjustment of the salary ranges, but not to exceed three percent. The base period for such adjustment shall be the quarter April - June. When the Director of the Employee Services Department adjusts pay ranges pursuant to this subsection, the new salary ranges shall be filed in writing with the Council Auditor, and shall be maintained in the Employee Services Department's files.

(5) The Mayor and the Sheriff shall each establish rules governing establishment of salary rates for existing and newly-appointed officials covered by this section, and for determining changes in pay rates, including but not limited to, increases, decreases, and payment of one-time non-recurring bonuses. These rules shall be filed in writing with the Council Auditor and shall be maintained in the Employee Services Department's files. Any changes to these rules shall be filed with the Council Auditor five working days prior to implementation.

* * *

(7) No position assigned to a pay grade in subsection_(1) or (2) above, or created in subsection (3) above, shall be placed in a pay grade reassigned more than two pay grades higher than that pay grade, through the procedures outlined in subsection (c)(3) or (c)(6).

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Section 10. Office of General Counsel are authorized to make all chapter and division "table of contents" consistent with the changes set forth

herein.

Such editorial changes and any other necessary changes to make the Ordinance Code consistent with the intent of this legislation are approved and directed herein, and the changes to the Ordinance

(d) Authority Mayoral appointed officials to set salaries. Within the ranges established in Section 129.101(c), the Mayor shall have the authority to set and adjust salaries of individual appointed officials, taking into consideration such factors as comparable salaries in the competitive labor market for the position, competitive pressures for specialized skills and experience, the education, training and previous experience of the official, internal equity within government and other relevant factors. The Mayor is authorized to make any salary adjustments herein, retroactive to the beginning of the then current fiscal year or some within the then current fiscal year as the Mayor may determine.

Sheriff's appointed Authority to set officials salaries. Within the pay ranges established in Section 129.101(c), the Sheriff shall have the authority to set and adjust salaries of individual appointed officials and Assistant Division Chiefs, taking into consideration such factors as comparable salaries in the competitive labor market for the position, competitive pressures for specialized skills experience, the education, training and previous experience of the official, internal equity within the government. The Sheriff is authorized to make any salary adjustments herein, retroactive to the beginning of the then current fiscal year or some other date within the then current fiscal year as the Sheriff may determine.

Codification Instructions. The Codifier and the

Code shall be made forthwith and when inconsistencies are discovered. 1 2 Section 11. Effective Date. This ordinance shall become effective upon signature by the Mayor or upon becoming effective 3 without the Mayor's signature. 4 5 6 Form Approved: 7 /s/ Adina Teodorescu 8 Office of General Counsel 9 Legislation prepared by: Adina Teodorescu 10

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