

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

| | | | |
|---------------|-------------|-----------------------------------|---|
| Meeting Date: | May 1, 2018 | <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Regular |
| | | <input type="checkbox"/> Workshop | <input type="checkbox"/> Public Hearing |

Department: Fire-Rescue

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

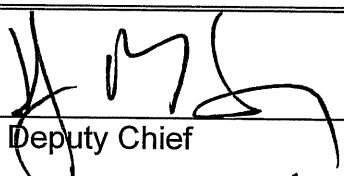
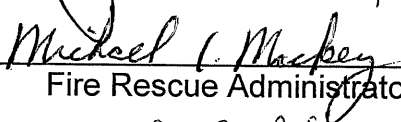

- A) an increase to the Fire Rescue personnel complement by one (1) Fire Rescue Equal Employment Specialist position (pay grade 40) for an estimated cost of \$25,731 (prorated for the last three months of FY 2018) to the Fire/Rescue MSTU; and
- B) a Budget Transfer of \$25,731 from the Fire/Rescue MSTU Contingency Reserves to Fire Rescue's Human Resources unit to appropriate funding for this position.

Summary: The Fire Rescue Department has grown to 1,521 positions, and this new position is needed to ensure the department maintains a fair and equitable workplace. This position will be responsible for educating and training staff to ensure that every member of Fire Rescue is fully fluent in fair employment laws. This position will also be responsible for handling the Department's compliance with all related policies, training, and laws, as well as handling investigations and identifying potential areas of conflicts. This position will coordinate with the County's Fair Employment Division of the Human Resources Department as case specifics require. Countywide (SB)

Background and Policy Issues: In the past, Palm Beach County Human Resources handled all of Fire Rescue's employment issues related to workplace complaints of employment discrimination. Due to the size and unique characteristics of the Fire Rescue organization, this position will ensure internal compliance with federal and state Equal Employment Opportunity (EEO) regulations and Affirmative Action guidelines.

Attachments:

- 1) Budget Transfer in Fund 1300 (Fire/Rescue MSTU)
- 2) Position Request Memo Approved by County Administrator

| | | |
|-----------------|---|---------|
| Recommended by: |  | |
| | Deputy Chief | Date |
| Approved by: |  | 4/18/18 |
| | Fire Rescue Administrator | Date |
| Approved by: |  | 4/17/18 |
| | Assistant County Administrator | Date |

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2018 | 2019 | 2020 | 2021 | 2022 |
|--------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Capital Expenditures | | | | | |
| Operating Costs | <u>25,731</u> | <u>92,374</u> | <u>94,689</u> | <u>97,073</u> | <u>99,528</u> |
| External Revenues | | | | | |
| Program Income (County) | | | | | |
| In-Kind Match (County) | | | | | |
| NET FISCAL IMPACT | <u>25,731</u> | <u>92,374</u> | <u>94,689</u> | <u>97,073</u> | <u>99,528</u> |

ADDITIONAL FTE
POSITIONS (Cumulative) 1 _____ _____ _____ _____


Is Item Included in Proposed Budget? Yes ___ No X
Does this item include the use of federal funds? Yes ___ No X

Budget Account No.: Fund ___ Dept ___ Unit ___ Rev Source ___

B. Recommended Sources of Funds/Summary of Fiscal Impact:


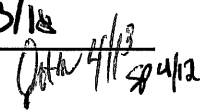
A budget transfer from Fire/Rescue MSTU (Fund 1300) Contingency Reserves to Human Resources unit to fund this position. Future fiscal years assume a 3% cost of living (COLA) increase each year; however, no increases are assumed for insurance or retirement as future rates are too variable to estimate.

| | | |
|----------------------|-----------------------|----------|
| Fire/Rescue MSTU | | |
| Contingency Reserves | 1300-440-4299-9901 | (25,731) |
| Human Resources unit | 1300-440-4218-various | 25,731 |

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

 4/15/18
OFMB  4/11/18

 4/16/18
Contract Development and Control  4/14/18

B. Legal Sufficiency

 4/17/18
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 9/03
ADM FORM 01

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

BGEX 440 040318*1149

FUND 1300 - FIRE/RESCUE MSTU

| ACCT NUMBER | ACCOUNT NAME | ORIGINAL BUDGET | CURRENT BUDGET | INCREASE | DECREASE | ADJUSTED BUDGET | EXPENDED/ ENCUMBERED 04/03/18 | REMAINING BALANCE |
|-------------------------------|-------------------------------------|--------------------|--------------------|---------------|---------------|--------------------|-------------------------------|-------------------|
| <u>Expenditures</u> | | | | | | | | |
| <u>Reserves</u> | | | | | | | | |
| 1300-440-4299-9901 | Contingency Reserves | 10,000,000 | 9,838,405 | | 25,731 | 9,812,674 | | 9,812,674 |
| <u>Human Resources</u> | | | | | | | | |
| 1300-440-4218-1201 | Salaries & Wages Regular | 569,847 | 569,847 | 16,155 | | 586,002 | | 586,002 |
| 1300-440-4218-2101 | Fica-Taxes | 39,942 | 39,942 | 1,002 | | 40,944 | | 40,944 |
| 1300-440-4218-2105 | Fica Medicare | 9,341 | 9,341 | 234 | | 9,575 | | 9,575 |
| 1300-440-4218-2201 | Retirement Contributions-Frs | 106,172 | 106,172 | 1,334 | | 107,506 | | 107,506 |
| 1300-440-4218-2301 | Insurance-Life & Health | 71,013 | 71,013 | 3,806 | | 74,819 | | 74,819 |
| 1300-440-4218-5111 | Office Furniture And Equipment | 1 | 1 | 2,000 | | 2,001 | | 2,001 |
| 1300-440-4218-5121 | Data Proccsng Sftwre/Accessres | 0 | 0 | 1,200 | | 1,200 | | 1,200 |
| | Total Appropriations & Expenditures | <u>381,462,596</u> | <u>389,336,475</u> | <u>25,731</u> | <u>25,731</u> | <u>389,336,475</u> | | |

| | | | |
|---|--------------------------------------|-------------------|--|
| Fire Rescue | Signatures | Date | By Board of County Commissioners At Meeting of 05/01/18 |
| INITIATING DEPARTMENT/DIVISION | <u><i>ckopelakis for M Marty</i></u> | <u>04/13/2018</u> | |
| Administration/Budget Department Approval | <u><i>Lisa Perles</i></u> | <u>4/13/18</u> | |
| OFMB Department - Posted | | | Deputy Clerk to the Board of County Commissioners |



**PALM BEACH COUNTY ADMINISTRATION
INTEROFFICE MEMORANDUM**

*WBaker 1/25/18
Approved*

November 21, 2017

To: Verdenia C. Baker, County Administrator
From: Nancy L. Bolton, Assistant County Administrator
Subject: Fire Rescue – Equal Employment Position

NLB

Enclosed is HR's response to the Fire Rescue Department's request for a Fire Rescue Equal Employment Specialist, Pay Grade 40. The request was made by the Chief at my recommendation, in an effort to improve department compliance following a significant volume of incidents and complaints from Fire Rescue staff over the past year. HR's alternative recommendation is an Equal Employment Compliance Specialist, II, Pay Grade 34, residing in HR but funded by Fire Rescue for department-specific assignments.

Although it is important to move on this position at this time and I will gladly direct the Chief to implement it according to your final direction, I disagree with HR's recommendation for placement of the position in HR. Karen Thompson has been virtually dedicated to Fire Rescue over the past year with the volume of cases she has been given to investigate. Karen has done an excellent job in her role, but simply having another investigator in HR would not serve to change the culture of the department, which is the very difficult task we must seek to accomplish.

My vision for the position involved taking a progressive approach to ensuring fair employment compliance by having an "Equal Employment Officer" embedded within Fire Rescue. Over the past few decades, Fire Rescue has transformed from a male dominated profession to a profession with growing diversity. It is unique from other County departments due to the nature of the work, which can include life and death situations that mandate successful working relationships. It is also unique in that employees spend 24 hours together on a shift in a shared living space. Therefore, ongoing reinforcement and planning of compliance with fair employment laws in the workplace is critical to the long-term success of the department.

This position, in my opinion, must be housed in the Fire Rescue department so that he or she can consistently ensure every member of that organization is fully fluent in fair employment laws, so the department can begin to thrive as an organization free of discrimination of any kind. This position would not just be limited to investigations. It would also be responsible for ensuring all staff are educated and trained regularly, that all related policies are up to date and in compliance with all related laws, and that all areas of conflict are identified and even potentially prevented before they become complaints.

Fire Rescue EEO Officers (sometimes referred to as "Diversity Officers"), though not yet common, do exist in the City of Dallas, Prince George's County, MD, NYFD, and the City of Chicago, just to name a

few. Most of these positions report directly to the Chief. My recommendation is that the position report to Deputy Chief Mike Mackey, as Mike has proven to be a fair and independent leader in the Department.

Please consider my thoughts along with HR's recommendations (as well as the Chief's recommended PG 40 position) attached. I recognize that neither of these recommendations fit my desire to have this position at a Chief-level "EEO Officer," but I am willing to defer to HR's expertise with the exception that I firmly believe the position must be housed in Fire Rescue.

Thank you for your ongoing support and willingness to consider an equal employment position dedicated to Fire Rescue.



17-211

Human Resources

100 Australian Avenue, Suite 300
West Palm Beach, FL 33406
(561) 616-6888
FAX: (561) 616-6893
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

- Paulette Burdick, Mayor
- Melissa McKinlay, Vice Mayor
- Hal R. Valeche
- Dave Kerner
- Steven L. Abrams
- Mary Lou Berger
- Mack Bernard

County Administrator

Verdenia C. Baker

SEP 27 2017

Date: September 6, 2017

TO: Verdenia Baker
County Administrator

THROUGH: Wayne Condry *WC*
Director, Human Resources

THROUGH: Maria Figueroa *MFF*
Manager, Compensation & Records

FROM: Ann Marie Malone *AMM* and Deanna Cocca *DC*
HR Specialist IV's

RE: New Job Spec Request

A request for a new job spec for Fire Rescue Equal Employment Specialist has been submitted.

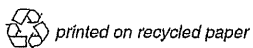
- Agree with this request
- Disagree with this request
- Other option

Fire Rescue has submitted a request for a proposed position titled, Fire Rescue Equal Employment Specialist, paygrade 40.

Human Resources does not support this request as submitted for the following reasons:

- 1) The proposed job description is verbatim to job spec #00523 Equal Employment Compliance Specialist II, paygrade 34 (see attached). The only exceptions are:
 - a. Implements training programs for adults as stated in the Examples of Work and in the Minimum Requirements.
 - b. Human Resource Management is listed as a preferred degree in the Minimum Requirements.
- 2) The Department is proposing a paygrade 40 to do the same department-specific duties of a paygrade 34 for the Equal Employment Compliance Specialist II, which has Countywide responsibility and would have an adverse Countywide impact. The matrix details comparative positions throughout the County along with their respective paygrades.

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County Administrator

Verdenia C. Baker

| Title | Pay Grade | Department |
|--|-----------|-----------------------------|
| Equal Employment Compliance Specialist II | 34 | Human Resources |
| Manager Fair Employment Programs | 44 | Human Resources |
| Compliance Investigator I | 28 | Office of Equal Opportunity |
| Compliance Investigator II | 31 | Office of Equal Opportunity |
| Manager Equal Employment Office/Fair Housing | 41 | Office of Equal Opportunity |

Human Resources is recommending that Fire Rescue remain consistent with the rest of the County by using the existing title of Equal Employment Compliance Specialist II, paygrade 34.

Additionally, in order to retain the position's autonomy from the Department and to ensure the confidentiality of a complainant, Human Resources is recommending that the position reside in the Human Resources Department in the Fair Employment Programs Division and be funded by Fire Rescue for department-specific assignments.

-
- Approved as recommended by Human Resources
 - Approved other Recommendation from Nancy Patton
 - Not Approved

Verdenia Baker 1/25/18
 Verdenia Baker, Date
 County Administrator

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