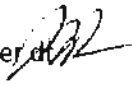


MEMORANDUM

TO: Mayor England
Vice Mayor Kostka
Commissioner George
Commissioner Samora
Commissioner Rumrell

FROM: Max Royle, City Manager 

DATE: January 6, 2020

SUBJECT: Personnel Manual Changes: Consideration of Resolutions re: Additional Holidays, overtime Pay and Compensation During a Declared Emergency

INTRODUCTION

For the updating of the personnel Manual, Ms. Raddatz will present to you two proposed changes. A resolution concerning each is attached.

- a. Pages 1-4, Resolution 20-02, to amend section XI.19 of the Manual to allow an additional one-and-a-half holidays for the employees.
- b. Pages 5-8. Resolution 20-03, to amend Section XII.5.D of the Manual regarding the calculation of overtime pay and adding Section XII.14 regarding compensation for employees during a declared emergency

RESOLUTION 20-02

For years, the City has had 10 ½ holidays:

- New Year's Day (January)
- Dr. Martin Luther King Day (January)
- Presidents Day (February)
- Memorial Day (May)
- July 4th
- Labor Day (September)
- Veterans Day (November)
- Thanksgiving Day and the day after It (November)
- Half day on Christmas Eve (December)
- Christmas Day (December)

Ms. Raddatz suggests the following be added to the above list: all of Christmas Eve Day and Good Friday before Easter. This would provide 12 paid holidays for the employees and would be in line with the number of holidays other area cities and counties provide to their employees.

Action Requested

It is that you discuss this proposal with Ms. Raddatz and, if you agree with it, you approve Resolution 20-02.

RESOLUTION 20-03

The Resolution concerns two changes: First, to clarify that approved leave, such as vacation, cannot be used as part of calculating whether an employee is entitled to overtime pay. Overtime pay will be provided only for actual hours worked in excess of an employee's normal work schedule.

The second is to clarify compensation for the following:

- a. During a declared emergency, such as tropical storm or hurricane, if an employee cannot be in the City during normal work hours, he or she will still be paid their normal pay.
- b. Employees entitled to overtime pay (non-exempt employees) will be paid overtime in accordance with the Federal Fair Labor Standards Act.
- c. Employees usually not entitled to overtime (exempt employees, such as department heads), can receive compensation for hours worked during an emergency if the City Commission approves such compensation.

There is language in Exhibit A that adds more detail to what's presented above. Ms. Raddatz will explain the details in Exhibit A.

Action Requested

If you agree with what she proposes, we ask that You approve Resolution 20-03



CITY OF ST. AUGUSTINE BEACH

Date: January 2, 2020

To: Mayor England
Vice Mayor Kostka
Commissioner George
Commissioner Rumrell
Commissioner Samora

From: Beverly Raddatz, MMC, City Clerk *BR*

Subject: Amending the Personnel Manual Regarding Section XI.19 Holidays

Background:

On December 24th staff was working until 12 noon. There were only two calls about garbage pickup and no walk-ins in the City Manager's Office because St. Johns County and the City of St. Augustine employees were off Monday, December 23, 2019 through Wednesday, Christmas Day. Due to all the announcement from St. Johns County and the City of St. Augustine, most residents thought that the City of St. Augustine Beach was closed too, even though we advertised the City's closings in the Record, on city hall's entrances and the bulletin board.

Staff did a benefit analysis in 2018 (see attached) which included holidays. Most of the local and County municipalities in our area are off Good Friday, the Friday before Easter, as well as Christmas Eve and Christmas Day. The City of St. Augustine, City of Atlantic Beach, Clay County, Putnam County, Putnam Sheriff's Office and the City of Jacksonville Beach have a total of 12 paid holidays per year. St. Johns County has a total of 13 paid holidays per year. The City of St. Augustine Beach has 10.5 paid holidays. In order to be competitive, it is necessary to give a competitive benefit package to employees. Since most municipalities have 12 paid holidays, this would make the City competitive or at least equal to them for holiday pay and attract employees when there is an opening.

Budget Analysis:

There would be no budget impact for the City. Employees would be paid regular eight hours as usual.

Recommendation:

It is the recommendation of staff to adopt the proposed Resolution 20-02 and include the increased holidays in the Personnel Manual.

RESOLUTION 20- 02

CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY

RE: TO AMEND THE IN THE PERSONNEL MANUAL
HOLIDAYS, SECTION XI.19 FOR THE CITY OF ST.
AUGUSTINE BEACH

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on February 3, 2020, resolves as follows:

That the Section XI.19 from the Personnel Manual for the City of St. Augustine Beach is hereby amended by the addition of the following language, and such language shall be incorporated into the Personnel Manual as follows:

XI.19 HOLIDAYS

The City shall consider the days listed below as paid holidays, but reserves the right to schedule work on these days when required by City business. Employees who work a holiday will be paid at their normal straight time rate of pay for the actual hours worked on the holiday, ~~plus a normal day's pay or compensatory time off will be given to the employees.~~

A floating holiday must be approved by employee's supervisor prior to taking this holiday:-

A.	New Years' Day	- January 1
	Martin Luther King Jr.'s Birthday	- As Established by Federal Policy
	Presidents Day	- As Established by Federal Policy
	<u>Good Friday</u>	<u>- Friday Before Easter</u>
	Memorial Day	- As Established by Federal Policy
	Independence Day	- July 4
	Labor Day	- First Monday in September
	Veterans Day	- November 11
	Thanksgiving Day	- Fourth Thursday in November
	Day After Thanksgiving	- For all other Employees
	Floating Holiday	- For Public Works Employees
	<u>Christmas Eve</u>	<u>- December 24</u>

Christmas Day

- December 25

- ~~B.~~ ~~On the last regular work day before Christmas, employees shall be granted a half day holiday.~~
- ~~C.~~ B. When any holiday falls on a Saturday, the employee shall be entitled to the preceding Friday as a paid holiday. When any holiday falls on a Sunday, the employee shall be entitled to the following Monday as a paid holiday.
- ~~D.~~ C. In addition to the above designated holidays, the City Commission may declare additional holidays.
- ~~E.~~ D. An employee must be on active pay status on the regularly scheduled working day immediately prior to a holiday and the regularly scheduled working day immediately following a holiday, in order to qualify to be paid for the holiday. (Active pay status is to include vacation and/or sick leave.)
- ~~F.~~ E. Should a holiday occur during the absence of an employee while on vacation with pay, or sick leave with pay, the employee shall receive compensation for the holiday, and the holiday shall not be charged against the employee's sick leave or vacation.
- ~~G.~~ F. That holiday hours shall be considered as hours worked for the purposes of calculating overtime.
- ~~H.~~ G. Vacation days cannot be used for paid holidays.
- ~~I.~~ H. Salaried employees shall not be entitled to additional compensation for working on a holiday.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida amends the above Section of the City of St. Augustine Beach Personnel Manual to read as set forth above, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 3rd day of February 2020, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

BENEFIT COMPARISON 2018

	Atlantic Beach # of Employees 120	Bunnell # of Employees 51	Clay County # of Employees 570	Fernandina Beach # of Employees 308	Flagler Beach # of Employees 117	Green Cove Springs # of Employees 110	Jacksonville Beach # of Employees 164	Orange Park # of Employees 104	Palatka # of Employees 145	Putnam County # of Employees 648	Putnam County Sheriff's # of Employees 270	St. Augustine # of Employees 308	St. Augustine Beach # of Employees 51	St. Johns County # of Employees 1253	St. Johns County Sheriff Office # of Employees 647
BUDGET IN MILLIONS	10	7	476	115	15	8	10	5	9	661	18	80	7	733	68
HEALTH INSURANCE															
Carrier	UHC	Florida Blue	Blue Choice - 3 Plans		UHC	Florida Blue PPO / HMO	Florida Blue	Florida Blue		Florida Blue- Several Plans	Florida Blue- Several Plans	UHC	UHC	Florida Blue / Humana	Florida Blue/ Humana
Deductible			\$250-500		\$250-1000	\$500-2000	\$3,000			\$500-2000	\$500-2000	\$250-\$1000	\$250-500	\$500-\$1500	\$500-3000
Employee Plan	4%	0%	4% - 20%	0%	100%	0-9%	0%	0%	0%	0%	0%	23-34%	0%	0 - 9%	0 - 9%
Spouse/Fam Plan	Unknown	58%	17% - 37%	50%	100%	24-37%	50%	14 - 16%	14-25%	14,21%	14,21%	24-37%	30%	18%	18%
Health Reimb Acct	N/A		Employee Pays 100%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Employer Pays \$1500 / Family	Employer Pays \$1500 / Family
DENTAL															
Carrier	Unknown	Florida Blue	Met Life		UHC	Lincoln	MetLife	Humana	Florida Combine	MetLife	MetLife	UHC	UHC	Florida Blue / Humana	Florida Blue/Humana
Empl Plan		0%	0% - 100%	100%	100%	100%	100%	0%	25%	17.90%	17.90%	0%	50%	0-9%	0-9%
Spouse/Fam Plan		52%	50%	100%	100%	100%	50%	81%	25%	23.52- 29.47%	23.52- 29.47%	100%	50%	18%	18%
Vision															
Carrier	Unknown	N/A	N/A		UHC		MetLife					N/A		Florida Blue/ Humana	Florida Blue / Humana
Empl Plan				100%	100%	100%	100%	75%	100%	10.92%	10.92%	N/A	50%	0-9%	0-9%
Spouse/Fam Plan				100%	100%	100%	100%	80%	100%	74.97%	74.97%	N/A	50%	18%	18%
LIFE															
Carrier		Florida Combine Life	The Standard		America Fidelity	The Standard	Sunlife			Aetna	Aetna	SunLife	SunLife	SunLife	SunLife
Empl Cost	0%	0%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%
Insurance Amt	Annual Salary		Annual Salary	Annual Salary			Annual	\$20,000		0			\$25,000	\$50k-75k	\$50k - \$75k
RETIREMENT															
Carrier	GPS	FRS	FRS	Pension Trust Fund	IMARC	FRS	GEPP	FLC		FRS	FRS	St. Augustine	FBS	FRS	FRS
Empl Cost	6%	3%	3%	6-7.7%	6%	3%	7.95%	3%		3%	3%	5-6%	3%	3%	3%
First Yr Days Accrual															
Vacation	12	13	12	7	10	12	12	6	11	12	12	10	5	10	20
Sick	12	0	12	12	12	12	12	12	12	13	13	10	12	13	12
Holiday	11	11	10	12	13	11	9	11	12	11	11	12	10.5	13	12
Total Days	35	24	34	31	35	35	33	29	35	36	36	32	27.5	36	34



CITY OF ST. AUGUSTINE BEACH

Date: January 2, 2020

To: Mayor England
Vice Mayor Kostka
Commissioner George
Commissioner Rumrell
Commissioner Samora

From: Beverly Raddatz, MMC, City Clerk *BR*

Subject: Amending the Personnel Manual Regarding Sections XII.5 D Overtime Pay and Adding Section XII.14 Employee Compensation During a Declared Emergency Operation

Background:

The Personnel Manual currently allows for employees to take vacation and compensation time and receive overtime pay if they work over 40 hours a week. Fair Labor Standard Act (FLSA) states that non-exempt employees must work 40 hours a week to be paid overtime. Staff would like to follow the FLSA and pay straight time if employees did not work the 40 hours by using vacation or compensation time.

Staff also would like to add a procedure for employees when a declared emergency by St. Johns County has activated the Emergency Operations Center. Currently, there is no procedure to follow on overtime pay during emergencies. Non-exempt employees work long hours during the emergencies and the normal protocol is to pay supervisors, not Department Heads, overtime pay for the number of hours worked. There are only a few non-exempt employees that this would affect, such as the Communications and Event Coordinator, Assistant Public Works Director, Sgt. Daniel Carswell, and Lt. Kathi Harrell.

It has been unclear whether to pay overtime to these positions and after speaking with the City of Palatka, City of Green Cove Springs, City of St. Augustine, and St. Johns County, they all pay overtime to non-exempt supervisory or managerial positions during a declared emergency.

Budget Analysis:

At the last declared emergency the total amount paid out for non-exempt employees was \$5,878.91.

Recommendation:

It is the recommendation of staff to adopt the proposed Resolution 20-04 and include the increased holidays in the Personnel Manual.

RESOLUTION NO. 20 - 03

CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY

RE: TO AMEND SECTION XII.5.D OVERTIME PAY AND
ADD SECTION XII.14 EMPLOYEE COMPENSATION
DURING A DECLARED EMERGENCY OPERATION IN THE
PERSONNEL MANUAL OF THE CITY OF ST. AUGUSTINE
BEACH

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on February 3, 2020, resolves as follows:

1. Section XII.5.D. Overtime Pay shall be changed to the following:

In computing overtime, only those hours actually worked ~~or charged as approved leave with pay~~ will be used to satisfy the basic requirement of eighty (80) hours for 12-hour shift workers as defined in Section XII.3.A and forty (40) hours for all others. Pay will be computed by the quarter hour. ~~However, sick leave will not be used to satisfy any part of the basic requirement (Res 12-5).~~ During a City sponsor event on a holiday, overtime will be calculated (Res 17-07).

2. Section XIX.5 of the Personnel Manual for the City of St. Augustine Beach is hereby added as shown in Exhibit A of this resolution and such language shall be incorporated into the Personnel manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida adds Section XIX.5, Employee Compensation During a Declared Emergency Operation, to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 3rd day of February 2020, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

XIX.5 Employee Compensation During a Declared Emergency Operation

The purposed policy statement is to establish the procedures for employee compensation during a declared emergency for all City personnel, both exempt and non-exempt, during a declared emergency.

Under the following conditions, personnel will be eligible for employee compensation during an emergency:

Employees Not Working During a Declared Emergency: The City of St. Augustine Beach understands that the employees must stay home during emergencies unless they are part of the emergency team. Since the City closed at no fault of the employees, the employees will receive their normal hourly compensation during the emergency. When city hall is opened, all employees are expected to return at their normally scheduled hours. If an employee has requested vacation or compensation time before the emergency is declared and was on vacation or compensation time, they would not be charged for their vacation or compensation time during the declared emergency and would receive their normal pay.

Non-Exempt Employees: The Federal Labor Standards Act and the adopted Federal Rules and Regulations establish the procedures for non-exempt employees working for the City of St. Augustine Beach. Personnel who are covered under the provision of the Federal Labor Standards Act are entitled to overtime payments equal to 1.5 times their hourly rate of pay when they meet the overtime criteria established under FLSA.

Exempt Employee: The Federal Labor Standards Act establishes procedures to exempt certain classifications of employees from the overtime provisions. Under normal operations, these employees do not receive overtime compensation. Elected Officials, the City Manager, the City Attorney, and Department Heads are not eligible for overtime compensation during a declared State of Emergency. The City Commission may provide additional compensation to the City Manager, the Police Chief, the City Attorney and Department Heads for work performed during a declared State of Emergency if they so choose.

The purpose of this section is to provide the conditions for which overtime will be paid to exempt lower level supervisors, managers, or professional employees. If all the following conditions are met, then exempt personnel will be eligible for overtime compensation.

1. St. Johns County has signed a declaration declaring a State of Emergency exists in the City of St. Augustine Beach.
2. The City of St. Augustine Beach has suspended normal operations and is operating in pre-emergency and post-emergency operations.
3. St. Johns County has activated its Emergency Operations Center and the City Manager or Police Chief, or their designee directs implementation the County's Emergency Management Plan.

For the first 72 hours of a declared emergency, for all hours worked over 40 hours, exempt employees will be eligible to receive compensation computed at 1.5 times their regular hourly rate of pay. After the first 72 hours, all hours over 40 for which the employee is assigned to the Emergency Operations Center will be computed at straight time. Since exempted employees are salaried and do not have an hourly rate of pay, the bi-weekly amount must be converted to an hourly rate. For purposes of computing bi-weekly basis the

Finance Director or his/her designee will have their hours divided by 80 hours to determine an hourly rate of pay. After the first 72 hours, exempt employees will be eligible for overtime compensation at the computed regular hourly rate of pay. Overtime is defined as the period an employee works above the normal scheduled work period during a declared emergency. For purposes of this policy, overtime compensation will be computed based upon 40 hours as a normal work period. In order to qualify for overtime, an exempt employee must be assigned to St. Johns County Emergency Operations Center or be performing emergency management duties.

The City Manager or Chief of Police or their designee may modify this Policy as deemed appropriate. Exceptions may be made for unique situations as they arise through a declared emergency.

After the first 72 hours, the City Manager or Chief of Police must authorize specific overtime for all exempt employees.

It is acknowledged that departments and functions will have different durations for overtime compensation payments. The City Manager or Chief of Police will determine each week and report to the City Commission which departments are still working overtime, and which exempt employees will be compensated for hours worked beyond a normal work period. It is acknowledged that payments to exempt employees may continue through the response and recovery period.

The City Manager or Chief of Police will submit a report to the City Commission on a weekly basis with an estimated time frame for return to normal City operations for each operating departments.

Normal City operations means when a City department returns to their normal operating times and schedules. At the time a department returns to normal work and operating schedules, overtime for exempt employees will cease.

For purposes of this policy, work is defined as being scheduled to work in emergency management duties. It does not include rest periods or time off. Individuals who are not scheduled to work are not allowed to be in a work area or perform job functions.

The City of St. Augustine Beach and St. Johns Emergency Operations Center provides shelter space for employees during a disaster. It is clearly understood that personnel who are availing themselves of a City provided shelter will not be compensated for the time spent in the shelter and not working. Those assigned to staff City or St. Johns County operated shelters will be compensated only for the time they are scheduled to work at the shelter. If an employee is required to work during a rest period, then the employee is eligible for compensation for all hours worked.

Employees who are on the emergency team (i.e. Public Works, Police Department, Communications and Event Coordinator, and requested administrative staff) are expected to report at the beginning of their shifts during an emergency. Failure to report at the beginning of each shift will constitute being absent without authorization and is subject to disciplinary action as provided for the City's Personnel Manual.