

The following sections of the City of Fort Lauderdale Pay Ordinance apply to Supervisory, Professional, Managerial, Confidential and Temporary employees only. For compensation practices for bargaining unit employees, refer to appropriate collective bargaining contract.

PAY ORDINANCE

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*ORDINANCE No. C-11-38 EFFECTIVE NOVEMBER 27, 2011.

SECTION 20-61. ESTABLISHMENT.

(a) There is hereby established a schedule of salary ranges for certain employees of the City, providing for minimum and maximum salaries and intermediate salary steps in all ranges and a salary plan in which each existing class of employment is assigned to one (1) of the ranges in the schedule. The rate of pay for each employee shall be adjusted in conformance with the adjustment of the salary range for the class to which his position is allocated; provided that, any employee presently receiving a salary in excess of the maximum rate provided for the class to which his position is allocated shall receive no further increase. For a schedule, consult the office of the personnel manager.

(b) The schedule of salary ranges and the salary plan established in this division are salaries which represent the maximum amount to be paid an employee who works the standard forty-hour workweek. Should the city manager determine that it is in the best interests of the city that an employee and/or group of employees work less than the standard forty-hour week, then the employee and/or group of employees shall be notified of such decision and the reason therefor, and that employee or group of employees shall be paid at an hourly rate, such hourly rate to be based on the range established for the forty-hour week applicable to such employee and/or group of employees. Revision of the number of hours and the resulting revision of the employee's and/or group of employees' weekly rate of pay may be made by the city manager when, due to changes in the city's financial condition, changes in the needs of the service and/or changes in the needs of the public doing business with the city, such a revision is necessary to protect the best interests of the city.

(c) The pay plan and provisions for longevity pay, overtime, hazard pay, academic incentive pay and all other provisions relative to compensation of employees contained in this division shall not apply to those offices and positions in the classified service which are subject to the provisions of a collective bargaining agreement, and regular employees in the classified service who are covered by a collective bargaining agreement will not be subject to the provisions of this division unless otherwise provided in said agreement.

SECTION 20-62. COMPOSITION.

The compensation plan shall include:

- (1) The Schedule of Salary Ranges adopted by the city commission, effective September 1, 1955, and the subsequent amendments thereto.
- (2) The salary plan (consisting of minimum and maximum rates of pay and intermediate steps for each existing class of employment) adopted by the city commission, effective September 1, 1955, and the subsequent amendments thereto.

SECTION 20-63. DEVELOPMENT OF SALARY RANGES.

The plan shall establish a salary range for every class in the classified service. Such salary ranges shall be determined with due regard to ranges of pay for other classes, relative difficulty and responsibility of positions in the class, availability of employees in particular occupational categories,

prevailing rates of pay for similar employment in the city, rates of pay in other governmental jurisdictions, cost of living factors, the financial policies of the city, and other economic considerations.

SECTION 20-64. MAINTENANCE OF SALARY RANGES.

(a) The city manager shall make or cause to have made such comparative studies as he deems necessary of the factors affecting the level of salary ranges prior to the preparation of the annual budget as well as at other times. On the basis of information derived from such studies, the city manager shall recommend to the city commission such changes in salary ranges as he deems necessary to maintain the fairness and adequacy of the overall salary structure.

(b) The rate of pay for each employee shall be adjusted, as determined by the city manager on the advice of the personnel director, to a step in the salary range for the class to which his position is allocated which is equal to or greater than the current rate of pay, provided that any employee receiving a salary in excess of the maximum rate shall receive no further increase except as provided in section 20-67. Conversely, an incumbent will not receive a deduction in pay from a downward reclassification action concerning his position.

SECTION 20-65. WITHIN RANGE SALARY CHANGES.

(a) The salary ranges are intended to furnish administrative flexibility in recognizing individual differences between positions allocated to the same class, in providing employee incentives, in rewarding employees for meritorious service, and in meeting emergency conditions requiring pay adjustments.

(b) Salary increases within appropriate ranges in recognition of an employee's performance shall normally be considered at intervals of one (1) year and granted upon the written recommendation of the department head concerned and with the approval of the personnel manager and the city manager.

(c) Salary increases within appropriate ranges for unusual or meritorious service may be granted without regard to limitations of time, upon approval by the personnel manager and the city manager.

(d) Salary reductions may be directed by the city manager after evaluation of an employee's job performance. No salary decrease may be made below the entry pay in an employee's pay range for his classification. The city manager shall file a written memorandum in the personnel file of an employee receiving a pay decrease stating the basis for the personnel transaction. Said memorandum shall be filed on or before the effective date of the pay decrease and a copy shall be furnished to the employee. An employee who receives a pay decrease within his pay range may request re-evaluation of his/her previous pay, or other increase in salary, six (6) months after the pay decrease. If the request does not result in the employee being returned to the previous step of the pay range involved, then the request may be made again one (1) year after the pay decrease. The request shall be made to the city manager.

SECTION 20-66. ENTRANCE AT THE MINIMUM.

The minimum rate of pay for a class shall be paid any person on his original appointment to a position except when, as determined by the city manager, there has been demonstrated inability to recruit at minimum rate of pay or the new employee possesses exceptional qualifications warranting employment at a higher rate in the pay range and provided that:

- (1) An employee promoted to a class for which the minimum rate of pay is equal to or less than the present salary rate of the employee may be placed in the salary step in the new range which will afford him a minimum of a five (5) percent salary increase.
- (2) An employee reemployed or reinstated to his former position or to another position in the same class may be paid at the step within the range that he was receiving at the time of layoff or other separation not reflecting discredit upon the employee upon recommendation of the personnel manager.

SECTION 20-67. LONGEVITY PAY.

(a) Regular full-time employees, both nonclassified and classified, who have served as such continuously for five (5) or more full years shall receive an annual longevity payment in accordance with the following schedule:

- (1) Employee employed on or before February 28, 1987.

<u>Total Continuous Service</u>	<u>Annual Longevity Payment (percent of annual salary)</u>
5 through 9 years	2-1/2
10 through 14 years	5
15 through 19 years	7-1/2
20 through 24 years	10
25 or more years	12-1/2

- (2) Employee hired on or after March 1, 1987.

<u>Service in Employment Category</u>	<u>Amount Per Year for Each Year of Continuous Service</u>
Management category I	\$264.00
Management category II	234.00
Management category III	204.00
Management category IV	141.00
Management category V	129.00
Nonexempt category	129.00

Service in each employment category will be calculated on a whole-month basis. If an

employee has served at least half of the calendar days of a month in an employment category, the whole month will be credited in that category.

(b) In the event a regular full-time employee is or has been on an authorized unpaid leave of absence or has been suspended, dismissed or laid off after having qualified for longevity pay, such employee shall receive a pro rata cash payment based on a computation of those months during which he was actually present for duty during the year for which payment is to be made. Provided, however, that an employee not on duty and not working due to an injury incurred on the job or a service-connected disability shall receive credit for longevity pay which would normally have accrued to him as if the employee had been on duty and working; provided further, however, that in no event shall such injured or disabled employee receive credit for nor shall longevity pay accrue after the expiration of twelve (12) calendar months from the date of inception of said injury or disability if the employee has not returned to work within such twelve-month period.

(c) Continuous full-time service shall be computed through October 31 of the year in which payment is to be made. Payment shall be made on or about December 1 of each year.

SECTION 20-68. HOURLY RATE.

(a) When, in the best interests of the city, an employee is to be paid an hourly rate, the rate shall be based on the range established for a forty-hour workweek.

(b) Overtime, and pay related benefits for hourly rate employees, excepting part-time and temporary employees, shall be computed on the basis of a five-day, forty-hour workweek.

(c) A flat hourly rate may be established for those employees accepting other city employment outside of normal working hours and duties. Such outside employment shall be limited to classes recommended by the department head concerned and approved by the personnel manager and the city manager. Such approval shall be in writing and for a specified period of time, not to exceed one (1) year at a time, provided that such approval may be extended for additional one-year periods. Such approval may be terminated by the personnel manager on thirty (30) days' notice, with the approval of the city manager.

SECTION 20-69. PART-TIME AND TEMPORARY EMPLOYMENT.

Part-time and temporary employees shall be paid to the extent practicable at the entrance rate for the class of position for which they are employed; provided, however, that for detached or independent construction work, or otherwise where, in the best interests of the city, it is necessary to temporarily employ extra laborers or craftsmen, the city manager may authorize that such employees be paid at the prevailing construction or craft rates.

SECTION 20-70. EMPLOYMENT BY DIFFERENT DEPARTMENTS.

(a) The prescribed rates of pay include payment for all work performed in those classes even though work may be performed in more than one (1) department. Each department may pay its

proportionate share of such services, but the total compensation received by such employee shall not exceed the prescribed maximum rate for the class.

(b) No employee shall work on two (2) positions concurrently with the city except as permitted under section 20-68 or as provided in this section.

SECTION 20-71. OVERTIME.

(a) As a general rule, the requirement of frequent and considerable overtime services in a department shall be considered evidence of understaffing or improper organization and shall be subject to review by the city manager.

(b) Records of all overtime work shall be kept by the department head.

(c) Employees in non-exempt classifications required to work in excess of forty (40) hours in a designated workweek shall be paid overtime or granted compensatory time off. Cash payment or compensatory time off for overtime shall be calculated at the rate of one and one-half (1-1/2) times the regular rate for all hours worked in excess of forty (40) hours in any designated workweek, except as provided in Section 20-68. The choice of compensatory time off or overtime pay shall be at the employee's option, provided that:

- (1) Compensatory time off will not interfere with the operational needs of the department involved. Where it is not feasible to permit the absence of the employee, the department head involved shall not provide the option of compensatory time off to the employee, but rather shall compensate the employee with cash payment for overtime. Accrued unused compensatory time off may not exceed forty (40) hours. Once the forty (40) hours compensatory time maximum accrual has been reached, employees required to work in excess of forty (40) hours in a designated workweek shall be paid overtime at the time-and-one-half rate.
- (2) If an employee elects to accrue compensatory time off in lieu of paid overtime and later chooses not to take this compensatory time off, the employee may elect to convert this accrued compensatory time to cash, provided that such payment shall be at the time-and-one-half rate. If an employee elects to take compensatory time and his department head or the city manager later determines that it is not feasible to grant compensatory time, then the employee shall be compensated, by the second pay period following the determination, for the full cash value of his compensatory time.
- (3) Non-exempt employees who are asked to return to the job from home to perform work of an emergency nature beyond normal working hours shall receive a minimum of three (3) hours payment at the overtime rate.
- (4) Employees, including those in management categories IV and V and excluding those occupying the position of battalion chief (formerly fire commander), who are required to perform work on regularly scheduled holidays shall, at the sole option of the department head, be granted either compensatory time off or cash payment for one and one-half (1-1/2) times the hours actually worked on the holiday, in addition to any holiday pay to which they may be entitled. Employees Who perform regularly scheduled work on a city

substitute holiday (i.e., a day designated in lieu of a legal holiday which falls on a Saturday or Sunday, as prescribed by Section 2-1 of this Code) and whose positions are not subject to seven-day work schedules, shall, at the sole option of the department head, be granted either time off or payment for work on the substitute day. Such employees whose positions are subject to seven-day work schedules shall be paid the time-and-a-half rate for hours actually worked only on the legal holiday.

SECTION 20-72. EMPLOYMENT AS A TRAINEE.

Persons employed as trainees shall be compensated below the minimum pay provided for the class for which they are training as determined by the personnel manager and the city manager. All persons employed as trainees shall be designated as exempt or nonexempt in accordance with the status of the job classification in the pay plan. Trainees shall be eligible for within range salary increases in accordance with the provisions of Section 20-65.

SECTION 20-73. HAZARD PAY.

Work which, in the opinion of the personnel manager, is hazardous and beyond normal requirements for the job, shall be paid for at the rate of one and one-half (1-1/2) times the normal rate. Payment will be made only for those hours in which the actual hazardous work is performed; during overtime hours the hazard rate and overtime rate both shall apply.

SECTION 20-74. ASSIGNMENT PAY.

(a) An employee who is assigned duties at the discretion of the department head, with the approval of the personnel director, which duties are substantially beyond those normally required in a particular classification, but which are not of such a magnitude to justify reallocation to a different classification, shall be eligible to receive assignment pay as authorized in the pay plan. Assignment pay shall be paid only during the period that the employee is actually assigned to perform such duties. An assignment may be transferred to another employee, or terminated at the discretion of the department head with the approval of the personnel director.

(b) A police major may be assigned the duties of assistant police chief, with the approval of the city manager, and such police major shall be eligible to receive assignment pay and benefits as authorized in the pay plan. Assignment pay and benefits shall be paid only during the period that the employee is actually assigned to perform such duties. An assignment may be transferred to another employee, or terminated at the discretion of the police chief with the approval of the city manager.

(c) A battalion chief or division chief may be assigned the duties of assistant fire chief, with the approval of the city manager, and such battalion chief or division chief shall be eligible to receive assignment pay and benefits as authorized in the pay plan. Assignment pay and benefits shall be paid only during the period that the employee is actually assigned to perform such duties. An assignment may be transferred to another employee, or terminated at the discretion of the fire chief with the approval of the city manager.

SECTION 20-75. ACADEMIC INCENTIVE PAY.

(a) Permanent employees currently receiving academic incentive pay will continue to receive that benefit under the previously existing program until December 31, 1979. Beginning January 1, 1980, academic incentive pay will be converted from a percentage rate of salary to a flat dollar rate equal to the amount an employee is receiving as of January 1, 1980. The employee will continue to receive that converted dollar amount for the duration of his/her employment in that position or in any other future position, provided that the degree or certificate is not a requirement for the future position. The flat dollar rate will not be increased, but it may be decreased depending upon the degree or certificate requirements of any future position held by the employee (subject to future review by the city commission).

(b) Employees who are hired or receive permanent status after January 31, 1979 are not eligible to participate in the academic incentive pay program.

SECTION 20-76. EMERGENCY LEAVE-EXEMPT NON-BARGAINING UNIT EMPLOYEES.

The city manager shall have the authority to give emergency administrative leave to exempt non-bargaining unit employees excluding Management Category I employees, for the hours they work because of an emergency that was duly declared by the President of the United States or by the Governor of the State of Florida. Such leave may not be converted to cash and shall be used prior to the end of the calendar year following the year in which said leave was earned.

SECTION 20-77. TEMPORARY UPGRADING.

Any permanent full-time employee, with the exceptions of assistant and deputy personnel, whose position is not included within a certified bargaining unit, who is temporarily assigned to perform supervisory/management duties which do not constitute a part of his usual employment responsibilities may be temporarily upgraded. Such employee shall then be eligible to be paid additional compensation for performance of such duties after written request of the appropriate department head to temporarily upgrade the employee has been approved by the personnel manager. Additional compensation shall be paid in accord with section 20-66 (1), provided the duration of the assignment is for a period of not less than ten (10) and does not exceed sixty (60) consecutive working days.

SECTION 20-78. PAY UPON TERMINATION OF EMPLOYMENT-GENERALLY.

(a) *Vacation.* Upon termination of employment with the city for any reason, regular employees and provisional and temporary employees who have completed one (1) or more years of continuous service will be paid for all accrued, unused, regular, and longevity vacation at the rate of pay in effect at the time of termination. Accrued, unused management vacation will be paid at seventy-five (75) percent of the rate of pay in effect at the time of termination.

(b) Sick Leave.

- (1) Accrued, unused sick leave will be paid to an employee, upon termination in good standing, according to the following schedule:

<u>YEARS OF SERVICE</u>	<u>PERCENT OF RATE OF ACCRUAL</u>
10 or less	25
Greater than 10, but less than 20	45
20 or more	65

- (2) Upon retirement from city employment, an employee shall be paid for unused sick leave in accordance with the following schedule:

<u>YEARS OF SERVICE</u>	<u>PERCENT OF RATE OF ACCRUAL</u>
10 or less	50
Greater than 10, but less than 20	65
20 or more	80

- (3) An employee who is dismissed from city service or who resigns not in good standing shall not be paid for accrued, unused sick leave.

- (4) All unused, accrued sick leave as of October 1, 1977, shall be valued at the rate of pay in effect on October 1, 1977, and sick leave accruing after that date shall be valued at the rate of pay in effect at the time of accrual. This valuation of accrued, unused sick leave will be used to compute the amounts to be paid to the employee upon termination as indicated above. When an employee utilizes sick leave for any reason, the most recently accrued day(s) will be used.

- (5) On the employee's anniversary date, an employee who has accrued more than thirty (30) but less than ninety (90) days of sick leave may convert unused sick leave earned in the previous year, not to exceed six (6) days, to vacation or to a cash payment at the rate of fifty (50) percent of the employee's average salary for the year of conversion; and an employee who has accrued at least ninety (90) days of sick leave may convert unused sick leave earned in the previous year, not to exceed twelve (12) days, to vacation or to a cash payment at the rate of fifty (50) percent of the employee's average salary for the year of conversion. The first thirty (30) days of accrued sick leave shall not be subject to conversion.

(c) Longevity. Upon termination of employment for any reason, an employee will be paid at the current rate of pay on a pro rata basis for service accrued toward longevity pay. Computation of pro rata longevity pay will be based on whole months of service; a month will be credited only when the employee has been in a pay status for three-fourths of the workdays in that month.

(d) Compensatory Time. Upon termination of employment for any reason, an employee will be paid at the current regular rate of pay for all accrued, unused compensatory time.

SECTION 20-79. SAME-SEVERANCE BENEFIT.

Whenever the employment of a regular employee serving in either the classified or nonclassified service whose position is designated as managerial, professional, supervisory, or confidential, is terminated for (i) abolition of a position, (ii) shortage of work or funds; and (iii) changes in organization structure or management needs of the city, the city manager may evaluate the circumstances of the termination and, in his discretion, conditionally or unconditionally offer to the affected employee one (1) of the following severance benefits:

- (1) *Option A. severance pay.* Severance pay shall be calculated as an amount equivalent to two (2) weeks of base pay for each full year of continuous service rendered, not to exceed a maximum of twenty-six (26) weeks of severance pay.
- (2) *Option B. severance retirement.* Allow the employee to retire early without penalty, if the employee is otherwise eligible for early retirement and such employee is within four (4) years of normal retirement date. This option shall be governed by the provisions of the applicable pension ordinance.

SECTION 20-80. SAME-SALARY CONTINUANCE.

Whenever a layoff of a regular managerial, professional, supervisory or confidential employee serving in either the classified or nonclassified service has been determined to be necessary, and if the employee has been offered and has accepted appointment to another position, the pay level of which is lower than that paid to the employee in his previous position, compensation will continue to be paid at the existing rate according to the following schedule:

<u>YEARS OF TOTAL CONTINUOUS SERVICE</u>	<u>COMPENSATION CONSTANT</u>
8, but less than 14	2 years
14, but less than 20	3 years
Over 20	4 years

SECTION 20-81. COMPENSATION SUPPLEMENTAL TO RETIREMENT BENEFITS.

Employees hired on or before January 4, 1989 who receive retirement benefits from either the police and firefighter's retirement system or the general employees' retirement system shall be eligible for supplemental compensation upon retirement, as that term is utilized in Section 20-129 or Section 20-110 of the respective retirement systems, as same may be amended from time to time, provided and to the extent that their retirement benefits have otherwise been limited by operation of Section 415 of the Internal Revenue Code. Such supplemental compensation shall be in the form of a life annuity, payable in equal monthly installments in an amount which shall be calculated as follows:

- (1) *Members of the police and firefighters' retirement system.* By determining (prior to imposition of the limitations imposed at retirement by Section 415, I.R.C.) the monthly benefits accrued upon retirement as specified under this Code Section 20-129, as same may be amended from time to time, and by deducting therefrom one-twelfth (1/12th) of the annual limitations imposed at the time of retirement by operation of Section 415, I.R.C.

- (2) Members of the general employees' retirement system. By determining (prior to imposition of the limitation imposed at retirement by section 415, I.R.C.) the monthly benefits accrued upon retirement as specified under this Code Section 20-110, as same may be amended from time to time, and by deducting therefrom one-twelfth (1/12th) of the annual limitations imposed at the time of retirement by operation of Section 415, I.R.C.

SECTION 20-82. SIGNING BONUS.

(a) In the event the City is unable to fill a vacant position after the completion of a thorough recruitment process, at the discretion of the applicable appointing authority with the approval of the personnel director and city manager or designee, a signing bonus may be offered as part of the subsequent recruitment process for the position. Signing bonuses shall be judicious and shall be used only in situations where an extreme need has been demonstrated based upon the operating requirements of the City or affected department.

(b) Signing bonuses will be structured in a manner that enhances the recruitment of qualified candidates, serves as a performance incentive, and encourages the employee to remain in the City service. Unless otherwise approved by the personnel director and city manager or designee, no more than one-half of the signing bonus will be paid at the time of hire with the remaining portions of the bonus paid after the completion of one (1) full year of service and two (2) full years of service in the bonus eligible position. The amount of bonus to be paid upon completion of years one (1) and two (2) shall be based upon the employee's performance for the year.

(c) The total signing bonus, the initial bonus at time of hire plus any subsequent amounts paid at the end of one (1) and two (2) years of service, shall not exceed 10% of the maximum annual pay for the affected job classification based on the pay range maximum in effect at the time of the employee's hire into the position.

(d) If the employee voluntarily leaves City employment prior to completion of one (1) year of service, full repayment of the entire bonus is required. If the employee voluntarily leaves City employment within six (6) months of the payment of either the year one (1) or year two (2) bonus, repayment of that entire portion of the most recently paid bonus is required.

***SECTION 20-83. ADMINISTRATIVE ASSISTANTS TO THE CITY MANAGER.**

The following professional managerial and administrative employees in the office of the city manager are administrative assistants to the city manager: administrative assistant, assistant to the city manager, structural innovation manager, budget manager, public affairs manager, neighbor services manager, assistant budget manager, assistant manager of CIP (Community Investment Plan)/Grants.

SECTION 20-84 -- 20-95. RESERVED.