

**City of Miramar  
Department of Human Resources**



**PERSONNEL POLICIES  
AND  
REGULATIONS MANUAL**

**Civil Service Board Adopted 4/6/04**

## **INTRODUCTION**

*Disclaimer:*

*If there is any difference between an actual policy, plan, procedure or description given in this reference guide, the actual policy, plan or procedure will take precedence. The contents of this book may change at any time without notice as experience indicates changes are necessary.*

This reference guide has been designed to provide information about the City of Miramar's policies, practices and procedures that are most frequently sought after by you.

This is not a comprehensive statement on all policies and procedures.

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## Civil Service Rules & Regulations

### Chapter 1 - Purpose, Scope and Definitions

#### 1. Authority

Pursuant to the authority granted by the City Commission of the City of Miramar, through the City Charter and City Code, the City Commission has duly read and adopted these rules and regulations and caused them to be included in the City Code.

#### 2. Purpose

These Rules and Regulations are adopted to provide for the recruitment, retention and staff development of the best-qualified available employees for each position in the service of the City of Miramar. The Rules and Regulations establish orderly procedures for the administration of the human resources system of the City in such a way as to be consistent with the following principles of merit, efficiency, and accountability:

- (a) Recruiting and selecting new employees, and advancing the careers of current employees on the basis of their relative knowledge, skills, and abilities, and the effectiveness of their performance, behavior, and accountability on the job.
- (b) Assuring fair treatment of applicants and employees in all aspects of Human Resources administration without regard to race, religion, color, creed, age, gender, national origin, ancestry, political affiliation, disability, and sexual orientation with proper regard for their rights and privacy.
- (c) Establishing job classifications which, in substance, fairly describe the essential functions of the work performed by City employees and establish minimum qualifications for each position in City service.
- (d) Establish and maintain fair and reasonable pay rates for each classification in City service consistent with the principal of providing comparable pay for comparable work, attracting and retaining a skilled and effective work force, honoring obligations in collective bargaining agreements, and the ability of the City to pay.
- (e) Providing training and development opportunities to ensure high quality performance and accountable behavior on the part of the City employees and to aid in the progressive development of employees in advancing their careers with the City.
- (f) Retaining employees on the basis of the effectiveness of their performance, behavior, and accountability on the job correcting and improving inadequate performance and behavior and separating employees whose actions or failures to act are inappropriate as representatives of the City of Miramar.
- (g) Establishing a procedure for the presentation, review and adjustment of employee grievances including appeals from disciplinary action, where appropriate.
- (h) Assuring that employees are protected against coercion or retaliation based upon the exercise of their rights provided in the Rules and Regulations.
- (i) Assuring that employees are protected against coercion or retaliation for political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination of an office, or the appointment of a City employee in a manner inconsistent with these rules and regulations.
- (j) Providing for the necessary flexibility and authority for supervisors, managers, and City executives to conduct the City's business in an efficient and cost-effective manner.

#### 3. Equal Employment Opportunity and Non-Discrimination

The Human Resources policy of the City of Miramar is based upon the fundamental concept that candidates are to be judged on the basis of their individual merit and fitness for City employment in relation to the requirements of a particular position and the needs of the City Service. The City is an Equal Opportunity Employer which will not condone or practice unlawful discrimination based upon any of the protected group criteria set forth in Title



VII of the Civil Rights Act of 1964, as amended, and by other relevant Civil Rights laws of the United States, the State of Florida, and City policies. Employment decisions in City of Miramar will not be based upon race, religion, color, creed, age, gender, national origin, political affiliation, sexual orientation or disability of candidates, unless one or more of those criteria represents a bona fide occupational qualification necessary for the safe or efficient performance of the duties of the City's position. The City recognizes the diversity of its labor market population and strives to have that diversity reflected and respected in the composition of the City's workforce.

#### 4. **Positions Covered and Excluded**

These Rules and Regulations apply to all positions covered in the City's Civil Service system. The Civil Service system represents the permanent full time work force of the City of Miramar and represents the positions in City service, which must be filled following the competitive, structured practices described in these Rules and Regulations. Likewise, employees in the Civil Service of the City have rights to retain their position, rank, and pay subject to reduction in force or disciplinary actions, as set forth in these Rules and Regulations. The Classified Civil Service of the City shall consist of all employees serving in positions in the City of Miramar except the following, which shall be excluded from the Classified Civil Service. Excluded positions serve in an "at-will" capacity, serve at the pleasure of the Appointing Authority, and are not subject to disciplinary appeal nor shall they possess a property right to continued employment with the City. Their employment with the City may be ended for any reason or no reason, other than an illegal reason:

The following non-exclusive list of positions shall be considered excluded:

- (a) The members of the City Commission and persons appointed to fill vacancies on the City Commission.
- (b) One City Commission Secretary and other direct support personnel appointed as may be authorized by the City Commission to provide direct staff support to them.
- (c) The City Manager, Assistant City Managers, and members of the City Manager's executive staff as outlined in classification descriptions.
- (d) Members of appointed boards, City attorneys and other attorneys who may serve to advise and assist in the administration of the legal affairs of the City.
- (e) Department and division directors and assistant or deputy directors of departments and divisions.
- (f) Persons employed on a temporary, part-time, limited term, seasonal, , or special project basis whose service is of limited duration.
- (g) Volunteers who receive no regular compensation from the City of Miramar.
- (h) Independent contractors performing work under contract, letters of engagement or letters of understanding who are not considered employees for the purposes of payroll and tax withholding.
- (i) Employees who may be hired into positions funded by federal or State grants which do not include ongoing funding, unless specifically approved for continuing service by the City Commission, or unless mandated by the requirements of the grants.
- (j) Positions specified in former Section 16.2.1.0.C will retain Civil Service rights until the current incumbent vacates the position, at which time the position will thereafter be excluded from Civil Service.

The positions are as follows:

- a. Accounting Supervisor,
- b. Building Official/Chief Structural Inspector
- c. Chief Plant Operator
- d. City Manager Secretary
- e. Computer Programmer/Operator
- f. Early Childhood Coordinator
- g. Executive Secretary
- h. Fire Captain
- i. Fire Division Chief
- j. Human Resources Aide
- k. Human Resources Technician

- l. Human Resources Specialist
- m. Membrane Plant Manager
- n. Newly appointed confidential/Managerial positions created or recognized by PERC
- o. Planner II
- p. Recreation Activity/Special Events Coordinator
- q. Risk Manager
- r. Special Projects Coordinator
- s. Utility Coordinator
- t. Victim Advocate

(Ord. No. 98-7, § 1, 12-3-97)

- (k) Any position exempt from the general Civil Service at the time of adoption of these Rules and Regulations shall remain exempt from Civil Service.
- (l) Any classification or position not specified in the above exclusions as may be designated as exempt by resolution of the City Commission.

#### 5. Interpretation

- (a) These Rules and Regulations are intended to cover most human resource issues and actions, which will arise. Those situations not specifically covered shall be interpreted by the Director of Human Resources to affect resolutions and decision making consistent with the overall purposes of these Rules and Regulations. Such interpretations will be in the best interest of the City's objectives and consistent with federal, state, county or other applicable laws or regulations.
- (b) Fringe benefits and benefit administration policies shall apply to all employees who are eligible for benefits pursuant to these Rules and Regulations, applicable collective bargaining agreements or otherwise by authority of the City Manager. Eligibility for benefits shall not be construed so as to grant civil service exempt employees any property rights or rights to continued employment, or in any manner grievance or appeal rights regarding any term or condition of their employment. Such employees shall remain in an "at-will" service capacity.

#### 5. Enforcement and Administration

Responsibility and authority for the enforcement and administration of these rules and regulations is vested in the City Manager and the Director of Human Resources.

#### 6. Authority to Delegate

- (a) Notwithstanding the provisions of these rules and regulations which provide for centralized Human Resources Administration, the City Manager and the Director of Human Resources are authorized to exercise their discretion to delegate the responsibility for administration of specifically enumerated human resource management functions within their areas of jurisdiction. Such functions may include but are not limited to, the conduct of recruitment, testing, classification management, an eligibility list maintenance for specifically approved classifications. In such cases of delegation, the appointing authority will be responsible for the management of the delegated human resources functions, and adherence to procedures established by these Rules and Regulations and the Department of Human Resources and the appointing authority shall be subject to monitoring and oversight by the Department of Human Resources to ensure compliance with the City's policy of equal employment opportunity and these rules and regulations.
- (b) The Director of Human Resources is specifically authorized to enter into contracts, letters of understanding, or other agreements with public agencies and professional human resource organizations such as the Florida Public Personnel Association (FPPA), the Florida Public Employee Labor Relations Association (FPELRA), the International Public Management Association for Human Resources (IPMA), or the Society for Human Resource Management (SHRM) to provide for the sharing of resources or the cooperative, joint conduct of human resources activities and functions.
- (c) The Director of Human Resources is specifically authorized to enter into contracts, letters of understanding, or other agreements with members of the Miramar Human Resources Consortium

for the purpose of carrying out joint human resources activities, resource sharing, or mutual support in the best interest of the City of Miramar and consistent with the purposes set forth in these rules.

## DEFINITION OF TERMS

- (a) **Anniversary Date**  
Anniversary Date means the date an employee begins employment and the same date in following years unless the anniversary date is adjusted consistent with these Rules and Regulations. For the purposes of merit increases, the anniversary date, , shall be that date one year from the effective date of his or her last regular merit increase, change in classification, promotion, or demotion unless the anniversary date is adjusted consistent with these Rules and Regulations. For other purposes, such as longevity, anniversary date refers to an employee's date of hire into a full time position.
- (b) **Appointing Authority**  
Appointing Authority means the City Manager, or designee granted authority to appoint or remove employees of the City Service.
- (c) **Block Budgeting**  
Block Budgeting - non competitive promotion of incumbents occupying intern, trainee, or entry level positions to positions in a higher classification, following an established career path.
- (d) **Certification**  
Certification means the act of the Department of Human Resources in supplying a Department or Division with the names of applicants who are eligible for appointment to the classification and positions for which certification is requested.
- (e) **Change in Anniversary Date**  
Change in Anniversary Date means an adjustment in the anniversary date of an employee due to a promotion, demotion, change in classification, extended leave of absence, break in service, or other reason set forth in these Rules and Regulations.
- (f) **Classification Allocation**  
Classification Allocation means the assignment of an individual position to an appropriate classification on the basis of the nature, difficulty, or responsibility of the work performed in the position.
- (g) **Classification**  
Classification means a position or group of positions that have similar duties and responsibilities, require similar qualifications, and can be designated by a single title indicative of the kind of work, and for which the same schedule of pay can be applied with equity.
- (h) **Classification & Pay Plan**  
Classification and Pay Plan means the official schedule of pay assigning one or more rates of pay to each classification title and the official or approved system of grouping positions into appropriate classes.
- (i) **Classification Series**  
Classification Series means a number of classes related to each other in terms of ascending difficulties and responsibilities of work within the same occupational field, e.g., "Clerk, Clerk-Typist, Secretary " would constitute a clerical series.
- (j) **Classification Specification**  
Classification Specification means a written document, which generally describes a classification and includes typical examples of work of the classification as well as the qualifications and guidelines for entrance into the kind of work described.
- (k) **Classified Civil Service**  
Classified Civil Service means all positions not specifically excluded under the Civil Service Ordinance nor exempted by reason of other ordinance, act, or statute.
- (l) **Classification Level**  
Classification Level means the definition and assignment of classification to reflect the degree to which the work requires mastery of subject material and relative possession of knowledge skills and abilities of the

incumbent necessary to perform assigned work. Typically, classification levels assigned are trainee, entry-level, journey level, advanced or lead level and supervisory level.

- (m) **Classification Title**  
Classification Title means the official designation or name of the classification as stated in the classification specification used on all personnel records and actions.
- (n) **Continuous Service**  
Continuous Service means employment in the Classified Civil Service which is uninterrupted except for authorized or unauthorized leaves of absence, suspension, or on return from separation due to reduction in work force, in keeping with reduction in force procedures. Time lost due to the foregoing will be deducted from total length of continuous service. Periods of authorized paid leave shall be included as part of continuous service.
- (o) **Demotion**  
Demotion means a change of employment status from a position of one classification to a position of another classification having a lower maximum salary limit. Appropriate exceptions may be approved by the City Manager upon the recommendation of the Director of Human Resources based on a review of the supervisory versus non-supervisory responsibilities of the positions involved in the personnel action.
- (p) **Division Director**  
**Division Director means an employee appointed to head an established administrative sub-division of a department, established in the budget, who answers directly to the department head.**
- (q) **Eligible**  
Eligible means a person who meets the requirements for a position and whose name is on an active employment eligibility list.
- (r) **Eligible List**  
Eligible list means a list or register of the names of persons for classifications of employment for which they have competed and are determined qualified to be appointed.
- (s) **Employee**  
Employee means any person holding a position of employment with the City and who is paid wholly or in part from City funds.
- (t) **Examinations**  
Examinations means methods used to determine eligibility of applicants for employment. Examinations may be assembled or unassembled and may include but shall not be limited to written, oral, physical, or performance tests, rating of training and experience, or any combination of these.
- (u) **Exempt Employee – Fair Labor Standards Act**  
FLSA Exempt Employee means employees is exempt from the overtime provisions of the Fair Labor Standard Act and does not receive overtime pay.
- (v) **Exempt Employee – Civil Service**  
**Civil Service Exempt Employee means employees that are exempt from the civil service protections and rules covered in these rules and regulations.**
- (w) **Grievance**  
A grievance means an employee-initiated allegation, made pursuant to the Grievance procedure set forth in these Rule and Regulations, that a written City policy, procedure, rule, or regulation has been violated.
- (x) **Incumbent**  
Incumbent means the person occupying a position.
- (y) **Layoff**  
Layoff means a separation of an employee from his or her position which has been made necessary by lack of work, lack of funds, organizational change, or for other reasons not related to fault, delinquency, or misconduct on the part of the employee.

- (z) **Limited-Term Appointment**  
Limited-Term Appointment means an appointment excluded from Classified Civil Service for a limited duration, made to fill a regular position during the period of an incumbent's approved leave of absence with or without pay.
- (aa) **Merit Increase**  
Merit Increase means an increase in pay within a pay range, based upon job performance and service requirements.
- (bb) **Official Personnel File**  
Official Personnel File means the employment record maintained in the Department of Human Resources, which contains an employee's application(s), salary information and other formal personnel transaction documents.
- (cc) **Overtime**  
Overtime means time worked in excess of scheduled work periods for those persons not working on an FLSA exempt basis. Overtime compensation shall be in accordance with the Fair Labor Standards Act.
- (dd) **Overtime Exempt Employee**  
Overtime Exempt Employees means employees that are ineligible to collect overtime pay due to their exempt status from the overtime provisions of the FLSA .
- (ee) **Part time Employee**  
Part-time Employees means employees hired on a continuing basis to work less than the regularly scheduled hours of a full-time work schedule. A part time employee may be covered by a collective bargaining agreement and may be eligible for benefits and paid leave under certain circumstances.
- (ff) **Performance Evaluation**  
Performance Evaluation means a periodic report reflecting management's job-related opinion of the conduct and performance of the employee.
- (gg) **Personnel Cap**  
Personnel Cap means the maximum number of full-time and part-time budgeted positions allocated and authorized for each organizational unit.
- (hh) **Position**  
Position means a group of current duties and responsibilities requiring the full or part-time employment of one person. A position may be occupied or vacant.
- (ii) **Probationary Employee**  
Probationary Employee means any employee appointed to a position in the Classified Civil Service for whom a one year probationary period has been assigned consistent with these Rules and Regulations and who has not completed the probationary period for that classification.
- (jj) **Probationary Period**  
Probationary Period means a limited period of at-will employment, which is a part of the selection and promotion process.
- (kk) **Promotion**  
Promotion means a change of employment status from a position of one classification to a position of another classification, which has a higher maximum salary. Appropriate exceptions may be approved by the City Manager upon the recommendation of the Director of Human Resources based on a review of the supervisory versus non-supervisory responsibilities of the positions involved in the personnel action.
- (ll) **Promotional Examination**  
Promotional Examination means an examination or a group of examinations for a position in a certain classification, to which admission is limited to employees in the Classified Civil Service, who hold a regular position in another classification in which they have completed a probationary period. The City Manager may waive this provision.
- (mm) **Promotional Eligible List**  
Promotional Eligible List means a list of persons who have been found qualified by a promotional examination for appointment to a position in a particular classification.

- (nn) **Provisional Employee**  
Provisional Employee means an employee filling a position in the Classified Civil Service without competition pending the establishment of an eligible list.
- (oo) **Reallocation**  
Reallocation means a change in the knowledge, skills, and abilities required of an existing classification which may result in an assignment to a different pay range.
- (pp) **Reclassification**  
Reclassification means the reassignment of a position to a different classification, which results from a significant and permanent change in the work assignments of the position.
- (qq) **Red Lining**  
Red lining means the freezing of an employee's base salary when such salary meets or exceeds the maximum of the approved salary range. Employees with redlined salaries shall not be eligible to receive salary increases, including across the board increases or consideration for merit increase, until such time as the employee's current base salary is below the maximum of the pay range of the job class.
- (rr) **Regular Employee**  
Regular Employee means an employee who has been appointed to a full-time position in the Classified Civil Service in accordance with the Civil Service Rules and Regulations and has satisfactorily completed a probationary period.
- (ss) **Regular Status**  
Regular Status means a condition, acquired by a full time employee who has completed the probationary period following initial appointment, giving rights accorded to regular employees.
- (tt) **Reinstatement**  
Reinstated Employee means a person who has worked for the City before and is being returned to the same, or lower in series, classification previously held within two years of separation.
- (uu) **Salary Range**  
Salary Range means the minimum, maximum, and intervening rates of pay assigned to a given classification or group of classifications.
- (vv) **Temporary Employee**  
Temporary Employee means an employee appointed for a special project or other work of a temporary or transitory nature for which employment is not to exceed a period of six months.
- (ww) **Transfer**  
Transfer means a change by an employee from one position to another position in the same classification.
- (xx) **Vacancy**  
Vacancy means a position duly created and still existent but not occupied, and for which funds are available.

## **CHAPTER II – Organization**

### **1. City Commission**

The City Commission shall:

- Appoint members of the Civil Service Board.
- Approve the Civil Service Rules and Regulations, including amendments or revisions.
- Approve Collective Bargaining Agreements

### **2. City Manager**

The City Manager shall:

- (a) Be responsible to the City Commission for the administration and maintenance of the human resources system established by these Rules and Regulations.
- (b) Appoint and remove all subordinate officers and employees subject to provision of the City's Charter, except those appointed and removed by the City Commission. The City Manager may authorize any appointed department head to act as "appointing authority" to appoint, remove, promote, discipline, or take other human resources actions provided in these Rules and Regulations within that Director's department or division.
- (c) Be responsible for the preparation of proposed amendments to the Civil Service Rules and regulations and Comprehensive Pay Plan in cooperation with the Director of Human Resources.
- (d) Amend the classification plan and pay plan, in cooperation with the Director of Human Resources, pursuant to these Rules and Regulations.
- (e) Perform such other duties and exercise such other powers as are set forth in the City's Charter, the City Code, these Rules and Regulations or as otherwise authorized.

### **3. Director of Human Resources**

The Director of Human Resources shall:

- (a) Be responsible to the City Manager for the Administration and technical direction of the Department of Human Resources. and the interpretation of these Rules and Regulations in an efficient, cost effective, and equitable manner.
- (b) Represent the City Manager as chief labor negotiator in the conduct of collective bargaining and other activities involving employees relations, including grievance handling and resolution, and the administration of disciplinary action.
- (c) Administer the Civil Service Rules and Regulations and issue related operating instructions to employees and officers.
- (d) Review actions, apply City policies, and represent the City Manager, in consultation with affected department and division heads, in matters of discipline, outside employment, conflict of interest, critical workplace incidents such as workplace violence and security, and the maintenance of a safe and equitable workplace.
- (e) Manage the City's risk management and employee benefit programs.
- (f) Publicize through appropriate channels, job vacancies in the City to be filled by either initial appointment or by promotion, transfer, or demotion of existing employees and apply the required procedures for the administration of the job vacancy filling system.
- (g) Develop and administer recruitment and examination programs necessary to obtain an adequate supply of competent applicants to meet the City's needs
- (h) Investigate periodically the operation and effect of the Civil Service Rules and Regulations and the policies and practices for their application and report findings and recommendations to the City Manager as appropriate.

- (i) Advise the City Manager on matters affecting the most effective use of human resources and the status of the City's human resources program.
- (j) Serve as Executive Secretary to the Civil Service Board.
- (k) Perform such other duties and activities with regard to human resources administration in a manner consistent with federal, state or city laws, these Rules and Regulations, ordinances or resolutions of the City Commission as may be necessary or desirable for effective human resources administration.
- (l) Formulate and establish forms and procedures deemed necessary to implement the provisions of these Rules and Regulations.

**4. Duties and Structure of the Civil Service Board**

- (a) Pursuant to the provisions of the City's Charter, the Civil Service Board shall;
  - Serve in an advisory capacity regarding the utilization and promotion of merit principals of human resource administration.
  - The Board shall review the examination process established by the Human Resources Department relative to the recruitment of employees.
  - The Board may assist the Human Resources Department in the administering of written examination and other examinations, as determined by the Human Resources Department.
  - The Board may monitor and oversee any examination process instituted by the Human Resources Department.
  - The Board may request that the Director of Human Resources ~~to~~ investigate matters concerning the enforcement and effect of these Rules and Regulations, and the Board may thereby recommend appropriate actions within the Civil Service system. The Board shall keep confidential all personal and family information, including health information, coming to its attention during the conduct of official board meetings or investigations as provided by the laws of the State of Florida.
- (b) The Human Resources Director shall advise the board members at each meeting of all Civil Service appointments, transfers, and promotions.



