

**CIVIL SERVICE CODE OF RULES**

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CIVIL SERVICE CODE OF RULES

CHAPTER I

GENERAL PROVISIONS AND DEFINITIONS

SEC. 1-1 – OFFICIAL CITATION.

This code of Rules shall be known officially as the Civil Service Code of Rules of South Bay, Florida, but may be cited herein as the “Code of Rules” or "Civil Service Code of Rules”, authority for which is Chapter 63-1940 Special Acts of Florida and all subsequent amendments thereto.

SEC 1-2 - AMENDMENTS TO CODE OF RULES

The Civil Service Code of Rules of the City of South Bay, Florida, may be amended only after public notice, public hearing, and approval by the Civil Service Board. Said notice shall be given not more than fifteen days and not less than five days prior to the date given by one publication in a local newspaper, which shall state the date, time and place that the public hearing will be held, a brief summary of the general provisions, subject, chapter or rule to be amended and that a copy of the proposed amendment is posted on the bulletin board at the front door of the City Hall. In addition to said notice being published as aforesaid, the Board shall cause a notice containing the same information as the publication to be mailed or delivered to the City Commission and to each of the Department Heads in the City classified service at least five days prior to said public hearing. A copy of the proposed amendment shall be posted on the bulletin board at the front door of the City Hall not later than the date on which said notice is published. All amendments shall be adopted only at the regular meeting of the Board for which advertised, and shall be adopted by resolution of the Board.

SEC 1-3 – DEFINITIONS

The following terms, words, and phrases when used in this Code of Rules shall have the meaning ascribed to each unless the context clearly indicates otherwise:

Appointing Authority - shall mean the City Manager or in his/her absence, the person authorized by the City Commission to perform the duties of the City Manager.

Board - shall mean the Civil Service Board of the City of South Bay, Florida.

Chairman - shall mean chairman of the Civil Service Board.

City - shall mean the City of South Bay, Florida.

City Commission - shall mean the City Commission of the City of South Bay, Florida.

Civil Service Law – includes the provision of the City’s Charter, Ordinances, and Personnel Policies included in the Employee Handbook or any of them in force relating to Civil Service.

Class - shall mean a position or group of positions having similar duties and responsibilities requiring similar qualifications, which can be properly designated by a title indicative of the nature of work.

Classified Service - shall include all positions in the Civil Service previously existing or hereafter established except for the following specific exemptions :

1. Elective positions filled by popular vote and vacancies in those positions filled by appointment;
2. Members of Boards appointed by the City Commission;
3. The municipal judge, judge ad litem and their secretaries, if any;
4. The City Attorney and his/her secretaries;
5. City Physician, City Engineer and special counsel;
6. Persons employed in a professional or scientific capacity on a temporary basis, and;
7. Unskilled laborers, part-time workers, day laborers, prisoners, contractors, contract workers, concession holders, temporary employees, and part-time employees.

Commission - shall mean the City of South Bay, Florida, City Commission.

Contract Employee – shall mean an employee under a individual employment contract or agreement, such as the City Manager.

Department Head - shall mean the employee or in his/her absence, the person having his or her responsibilities and authority.

Dismiss and Discharge - shall mean the same and shall be synonymous with termination.

Employee - shall mean all personnel employed by the City of South Bay except those specifically exempted from the classified service by the Civil Service Act.

Pay Range - shall mean a salary range established by the City Commission with a maximum and minimum base salary.

Position - a position is a group of assigned duties and responsibilities assigned to one person or job.

CHAPTER II  
ADMINISTRATION

SEC 2-1 - REGULAR MEETINGS

Regular Meetings of the Board shall be held on the 3rd Thursday of each month at 7:00 p.m. at City Hall. Any regular meeting may be adjourned from time to time upon motion being properly made and carried. All such meetings shall be open to the public and held at City Hall.

SEC 2-2 SPECIAL MEETINGS

Special Meetings may be held at any time on the call of the chairman or vice-chairman, the Mayor, the City Commission, the City Manager, by any two members of the Board, or on petition of twenty-five freeholder of the City. All such meetings shall be open to the public. Action at a special Meeting shall be approved at regular meeting.

SEC 2-3 MEETINGS FOR CONDUCTING A HEARING

Meetings for the purpose of conducting a hearing on appeal shall be scheduled in a timely manner. All such meetings shall be open to the public.

SEC 2-4 INVESTIGATIONS AND INQUIRES NOT CONSIDERED MEETINGS

Whenever the Board or any member thereof under direction of the Board conducts an investigation or inquires into a grievance, same shall not be considered a meeting and need not be open to the public, so long as such investigation or inquiry is not subject to the Sunshine Law. However, no official action can be taken during such an investigation or inquiry. This section shall not be construed to deny an employee complained against of his right to a public hearing if he desires same and is eligible for same.

SEC 2-5 ORGANIZATIONAL MEETING – ELECTION

At the first meeting after the 3rd Thursday of July of each year the Board shall hold its organizational meeting and shall elect a chairman, a vice-chairman, and a

secretary. Said officers shall serve for a term of one year, or until their successor are elected.

#### SEC 2-6 QUORUM

Three members shall constitute a quorum.

#### SEC 2-7 REGULATIONS

The Board may at any meeting by motion duly made and carried, set forth any procedure for its own conduct, the conduct of any of its members, to follow in the administration of their duties under these rules provided such procedure does not create a new rule or conflict with any rule in this Code. This section shall not be construed to mean that the Board may make new rules without amending this Code or change any rule in this Code without properly amending same. Otherwise, it shall be construed to mean that the Board shall not be bound to amend this Code each time it desires to alter or change a minor procedure in regard to administration within the Board itself.

#### SEC 2-8 DUTIES OF CHAIRPERSON

The Chairperson of the Board shall be its executive officer and perform all duties in this Code. The Chairperson shall preside at the meeting of the Board and the hearings conducted by the Board unless he or she is unable to so do.

#### SEC 2-9 DUTIES OF VICE-CHAIRPERSON

The vice-chairperson of the Board shall perform the duties of the chairperson if for any reason whatsoever the Chairperson is unable to perform.

#### SEC 2-10 DUTIES OF SECRETARY

The secretary of the Board shall keep minutes of all meetings of the Board and record all official action by the Board, including properly noticing publicly held meetings as required by the Sunshine Law. He or she shall also be responsible for all records and correspondence of the Board. He or she is not required to be a member of the Board and may be compensated for performing the duties of

secretary in such sums as decided by the Board from time to time and approved in the budget for the Board.

#### SEC 2-11 REPORTS

The City Manager shall timely report to the Board in writing, any of the following actions, to-wit:

Appointments whether emergency, temporary, probationary, or for promotions;

Refusal or neglect to accept appointment by a person who has certified;

Changes in compensation, ranks or grades of officers or employees;

Suspension or reinstatement made of any officer or employee;

Transfers within or to another, department;

Every vacancy, resignation, suspension or separation from the service and its cause. An Original or copy of resignation shall be furnished to the Board if same were made in writing;

The creation or abolition of any office or place or employment in classified service; and

Changes in department organization with details for charting.

## CHAPTER III

### CLASSIFIED POSITIONS AND PAY PLAN

#### SEC 3-1 CLASSIFICATION OF SERVICE

All officers and positions of employment in the City of South Bay except those exempt by law from the provisions of the Civil Service, under Sec. 18-2 of the City Charter thereof, are hereby classified into classes of positions. Said officers and positions of employment are placed in classes according to the general line and character of the work involved in the respective duties thereof.

#### SEC 3-2 GRADES OF SERVICE

The Board shall from time to time, by an order recorded in its minutes specify the grades in which various offices and place of employment shall be classified.

### SEC 3-3 CHANGE OF CLASS

The class of an officer or employee shall not be changed except after review by the Civil Service Board and reclassification based on a substantial change in the duties and responsibilities as described in the adopted class specification. Where the new class provides for a pay range with a maximum pay which is less than the pay now received by the incumbent of the position, the pay received by the incumbent shall not be reduced but the incumbent shall not receive any pay increases until such time as the pay range for the class in which his position falls is increased to a point where the pay received is less than the maximum pay for that class.

### SEC 3-4 CHANGE OF DUTIES

Whenever the duties of an office or position classified as provided in this chapter are changed so that they differ substantially from the duties prescribed when such office or position was originally classified, and from the duties of other positions in the class with it as so classified, such change of duties shall operate to abolish such office or place and to create a new position, and the Board shall proceed to classify such office or position by interview and certification or by certification from an existing eligible list.

### SEC 3-5 CLASS PAY RANGES AND PAY PLAN

A range of pay has been assigned to each position. Each employee in the classified service shall be paid within that range.

Such Pay Range and Pay Plan may be amended from time-to-time by the Board which shall become effective only upon approval by the City Commission. The City Commission may adopt or amend the Pay Ranges and Pay Plan with or without recommendation from the Board.

### SEC 3-6 CLASS PAY RANGES – LOWEST COMPENSATION - WHEN PAID

Appointment to a position either by original appointment or by promotion shall be made at the lowest indicated pay step for the class except that no employee shall have his compensation reduced by reason of a promotion.



SEC 3-7 TITLES FOR POSITIONS

Titles for each position in the classified service shall be as nearly descriptive of the general duties attached thereto and indicative of the grade and shall be the same for offices and positions requiring the same kind of service, regardless of location of employment; titles so prescribed shall not be changed except by the City Manager upon approval of the City Commission. Such titles shall be used to designate the office or position in all the reports to and records of the Board and all payrolls or accounts submitted to the Board for certification.

SEC 3-8 NEW POSITIONS- PROCEDURE WHEN CREATED – DUTY OF CITY CLERK

Any new office or place of employment shall be created by the City Commission, a report of such action shall be made immediately to the Board by the City Clerk setting forth a statement of the general duties, suggested salary, and other matters effecting the character and grade of such position.

SEC 3-9 NEW POSITIONS - PROCEDURE WHEN CREATED – DUTY OF BOARD

Whenever the City Manager, a department head or the Commission shall contemplate creating a new position or a new activity which will result in the creation of types of positions not previously existing in the city service, notice of such contemplated action shall be sent to the Civil Service Board. The notice shall furnish details of contemplated positions and proposed classification. The Board shall conduct a meeting to determine whether the classification is proper for the position or positions.

SEC 3-10 CLASSIFIED POSITIONS - SCHEDULE OF

That certain Schedule of Classified Positions on file in the office of the City Clerk of the City of South Bay, Florida, as amended from time to time, is hereby adopted by reference and made a part hereof or if set forth herein in full.

SEC 3-11 CLASSIFIED POSITIONS. MAINTENANCE, REVISION AND AMENDMENTS

The position classification plan may be maintained, revised, and amended at any regular meeting of the Board, subject to approval by the City Commission.

SEC 3-12 PAY PLAN, SCHEDULE OF

That certain schedule of pay plan on file in the office of the City Clerk of the City of South Bay, Florida, as amended from time to time, is hereby adopted by reference and made a part hereof or if set forth herein in full.

SEC 3-13 PAY PLAN – MAINTENANCE, REVISIONS, AMENDMENTS

It shall be the duty of the City Manager or his/her designee to maintain the pay plan schedule. When the pay plan schedule is to be revised or amended, the following procedure shall be followed:

- (a) The City Manager or his/her designee shall, prepare the proposed revision or amendment to the pay plan and submit same in writing to the Board and City Commission.
- (b) The City Clerk shall place the proposed revision or amendment on the agenda for a regular City Commission meeting and supply the Board and the respective department heads with a copy of the said agenda prior to said meeting.
- (c) The City Commission, at its regular meeting, shall either confirm or reject the proposed revision or amendment or the City Commission may set a rate of pay different from that recommended, or take any other action on the pay rate as it deems advisable under the circumstances.
- (d) The action taken by the City Commission shall be effective immediately unless otherwise directed by the Commission, and the pay schedule shall be amended, revised or remain the same, as the case may be, in accordance with the order of the City Commission. The City Clerk shall cause the Board to be notified of its action.