MEMORANDUM

Agenda Item No. 11(A)(10)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution relating to amending County's Tuition Reimbursement Program

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The accompanying resolution was prepared and placed on the agenda at the request of Vice-Chairwoman Barbara J. Jordan.

Murray A. Greenberg
County Attorney

MAG/jls

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: May 8, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 11(A)(10)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(10)
5-8-07

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR TO IMPLEMENT REVISIONS TO THE COUNTY'S TUITION REIMBURSEMENT PROGRAM, AND TO CONDUCT NEGOTIATIONS WITH THE COUNTY'S COLLECTIVE BARGAINING AGENTS AS APPROPRIATE

WHEREAS, County Administrative Order 7-4, Tuition Refund Program, provides for employees enrolled in accredited educational institutions to be reimbursed for 50% of tuition costs, for approved coursework which will enable them to improve their performance in their current positions and prepare them for increased responsibilities; and

WHEREAS, recent investigations into the use of the Tuition Refund Program have revealed that some employees are receiving substantially greater benefits than were originally intended; and

WHEREAS, the benefits County employees receive under the current Tuition Refund Program exceed what employees of other local governments in this area receive; and

WHEREAS, the Board wishes to continue to encourage employees to seek educational opportunities which will enable them to improve their performance in their current positions and prepare them for increased responsibilities; and

WHEREAS, the Board also wishes to ensure that in expending public funds, the County's Tuition Refund Program is fiscally responsible and includes adequate program oversight and controls; and

WHEREAS, the Board recognizes that the benefits provided by the Tuition Refund Program have become a term and condition of employment that has been incorporated into the County's collective bargaining agreements; and

WHEREAS, the Board recognizes that certain changes to the Tuition Refund Program with respect to unionized employees requires negotiation with the County's collective bargaining agents,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that the Board directs the County Mayor to seek to negotiate with the County's collective bargaining agents the following changes to the County's Tuition Refund Program:

(1) the imposition of a payment cap on the amount of tuition refunds that any individual employee can receive either per credit-hour, calendar year or other criteria as appropriate to ensure fiscal discipline of the program; and

(2) the imposition of a requirement that employees who receive tuition refunds from the County to either remain employed with the County for a period of up to, but not exceeding three (3) years following completion of coursework and should the employee separate from the County before the defined period expires, the employee shall reimburse the County for all tuition paid by the County within that period of time.

The foregoing resolution was sponsored by Vice-Chairwoman Barbara J. Jordan and offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner , and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of May, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. LK

Lee Kraftchick