

# Memorandum



**Date:** February 2, 2010

**To:** Honorable Dennis C. Moss, Chairman  
and Members, Board of County Commissioners

Agenda Item No. 9(A)(9)

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of George M. Burgess.

**Subject:** Resolution Providing Longevity Benefits to Employees Who are Rehired Within Two Years of Separation from County Service

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**This item was amended at the Government Operations Committee on January 12, 2010 to change the effective date of the policy change to January 1, 2000 and include employees in good standing who have voluntarily separated from County service provided the separation was not retirement related.**

### **Recommendation**

It is recommended that the Board of County Commissioners approve the proposed policy change.

### **Scope**

The policy change is countywide but will be limited to exempt and classified employees who have separated from County service due to a layoff action or non-retirement voluntary separation on or after January 1, 2000, and were rehired within two years to a new position to which they did not have recall rights.

### **Fiscal Impact**

This proposal will permit covered employees to retain their previously earned longevity benefits which are calculated based upon continuous years of service.

### **Track Record/Monitoring**

This policy is managed by the Human Resources Department.

### **Background**

It is our intention to mitigate the effect of layoff terminations on that segment of our workforce that has been laid off on or after January 1, 2000 and subsequently rehired within two years to a new position to which they do not have recall rights. In addition, this resolution will extend to those employees who have voluntarily separated during the same time period, excluding retirements. These former employees shall have their longevity benefits restored: future longevity leave accrual and longevity bonus eligibility. Previously earned classified service rights shall not be restored. This policy will not replenish leave bank balances nor will it mandate a rate of pay greater than the minimum of the pay range when the employee is rehired. The proposed policy provides a similar benefit for longevity only to rehired employees with no recall rights to exercise.

Currently, employees in the classified service who have been separated from County service due to layoff are placed on a "Recall List" in seniority score order for a period of two years. In accordance with the Personnel Rules for the Classified Service, employees on "Recall Lists" shall be given first consideration when filling any new vacancies in identical classifications. In the event that a former employee is recalled to a position, the employee is treated as if he/she had been on a leave of absence for the lay off time period and any previously earned longevity and seniority rights are preserved or "bridged."

Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners  
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The proposed policy will not affect the recall or seniority rights of continuously employed classified service employees nor will it impact the rights of employees who are covered by collective bargaining agreements.



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Assistant County Manager



# MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

DATE: February 2, 2010

FROM: R. A. Cuevas, Jr.  
County Attorney

SUBJECT: Agenda Item No. 9(A)(9)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 9(A)(9)

Veto \_\_\_\_\_

2-2-10

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ESTABLISH A POLICY TO PRESERVE LONGEVITY BENEFITS FOR EXEMPT AND CLASSIFIED EMPLOYEES WHO HAVE SEPARATED FROM COUNTY SERVICE DUE TO A LAYOFF ACTION OR NON-RETIREMENT VOLUNTARY SEPARATION ON OR AFTER JANUARY 1, 2000, AND WHO HAVE BEEN REHIRED WITHIN TWO YEARS TO A NEW POSITION TO WHICH THEY DO NOT HAVE RECALL RIGHTS AND PREVIOUSLY EARNED CLASSIFIED SERVICE RIGHTS SHALL NOT BE RESTORED

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby approve this policy change.

The foregoing resolution was 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:

- |                                 |                    |
|---------------------------------|--------------------|
| Dennis C. Moss, Chairman        |                    |
| Jose "Pepe" Diaz, Vice-Chairman |                    |
| Bruno A. Barreiro               | Audrey M. Edmonson |
| Carlos A. Gimenez               | Sally A. Heyman    |
| Barbara J. Jordan               | Joe A. Martinez    |
| Dorrian D. Rolle                | Natacha Seijas     |
| Katy Sorenson                   | Rebeca Sosa        |
| Sen. Javier D. Souto            |                    |

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of February, 2010. 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.



Lee Kraftchick