Memorandum

MIAMI-DADE COUNTY

Date: March 11, 2014

To: Honorable Dennis C. Moss
County Commissioner - District 9

From: Carlos A. Gimenez
Mayor

Subject: Update on Fair Employment Practices Appeals Process for Employees

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The following serves as a response to the memorandum dated February 7, 2014 where you request an update on the Fair Employment Practices Appeals Process. More specifically, the Board of County Commissioners (Board) adopted Ordinance No. 13-39 on May 7, 2014, sponsored by you, which provides Miami-Dade County employees with the right to appeal decisions made by the Human Resources Director or the County Mayor. These appeals are intended to be heard by an independent and impartial hearing examiner.

The case closure letters issued by the Human Resources Department's Office of Human Rights and Fair Employment Practices (Office) now include language regarding the employees' right to an appeal under the Ordinance. The Office is also in the process of updating its website, brochures, outreach and training materials, as well as the procedures in the County Procedures Manual to include information about the appeals process available under the Ordinance.

Although the Ordinance was adopted and incorporated into the County Code, funding necessary to fully implement the change is subject to budget appropriation. As noted in the fiscal impact statement that accompanied the ordinance for second reading, the estimated cost of implementing the appeals process necessitates the addition of two positions as well as additional funding to handle the costs for compensation of the independent hearing examiners and associated administrative functions. The estimated recurring fiscal impact is slightly less than $200,000. Funding necessary to fully implement these changes has not been identified. Additionally, one vacant position in the Office was eliminated as a result of recent budget reductions. Given the actual resources in the Office, staff is doing more with less. The County will continue to offer the appeals process to County employees. However, without the necessary positions and additional funding for the Hearing Examiners, the process will take longer than anticipated and the communication about the process will be limited to notification on the closure letters.

Should you have any additional questions, please do not hesitate to contact Deputy Mayor Edward Marquez at 305-375-1451.

c: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners
R.A. Cuevas, Jr., County Attorney
Office of the Mayor Senior Staff
Department Directors
Tyrone Williams, Division Director, Labor Relations, Human Resources
Charles Anderson, Commission Auditor
Christopher Agrippa, Division Chief, Clerk of the Board