

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: October 3, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving
amendment to the Miami-Dade
County leave manual to grant
one day of administrative leave
to certain County employees who
are appointed and serve as a
scoring member of a Competitive
Selection Committee under
Implementing Order No. 3-34

Resolution No. R-892-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kevin Marino Cabrera.


Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: October 3, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(8)

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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(8)
10-3-23

RESOLUTION NO. R-892-23

RESOLUTION APPROVING AMENDMENT TO THE MIAMI-
DADE COUNTY LEAVE MANUAL TO GRANT ONE DAY OF
ADMINISTRATIVE LEAVE TO CERTAIN COUNTY
EMPLOYEES WHO ARE APPOINTED AND SERVE AS A
SCORING MEMBER OF A COMPETITIVE SELECTION
COMMITTEE UNDER IMPLEMENTING ORDER NO. 3-34

WHEREAS, on July 6, 2023, this Board adopted Resolution No. R-657-23 directing the County Mayor or County Mayor's designee, among other things, to grant one day of administrative leave to certain County employees who are appointed and serve as a scoring member of a Competitive Selection Committee under Implementing Order No. 3-34, to be used within one year from the date that the employee completes his or her service on the committee, provided that the employee was a scoring member of the committee and timely completed all committee-related duties; to propose amendments to Miami-Dade County Leave Manual consistent with the resolution; and to provide a report to this Board; and

WHEREAS, in the attached memorandum dated August 23, 2023, the County Mayor has provided a report to this Board in response to Resolution No. R-657-23, and attached to the County Mayor's memorandum is a proposed amendment to the Miami-Dade County Leave Manual that is consistent with the requirements of that resolution; and

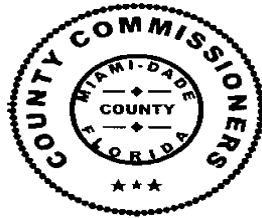
WHEREAS, the Board of County Commissioners desires to approve the proposed amendment the Miami-Dade County Leave Manual attached to the accompanying County Mayor's memorandum, which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves an amendment to the Miami-Dade County Leave Manual to grant one day of administrative leave to certain County employees who are appointed and serve as a scoring member of a Competitive Selection Committee under Implementing Order No. 3-34, as set forth in the attachment to the accompanying memorandum and incorporated herein by reference.

The Prime Sponsor of the foregoing resolution is Commissioner Kevin Marino Cabrera. It was offered by Commissioner **Kevin Marino Cabrera** , who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of October, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in blue ink, appearing to read "M. Moffett", is written over a horizontal line.

Marlon D. Moffett

Memorandum



Date: August 23, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Report on the Implementation of Paid Administrative Leave for Employees
who Serve on Selection Committees - Directive No. 231181

Executive Summary

This report is being provided in response to Resolution R-657-23, co-prime sponsored by Commissioners Danielle Cohen Higgins and Kevin Marino Cabrera, and adopted by the Board of County Commissioners on July 6, 2023. The Resolution directs the County Mayor or County Mayor's designee to (1) implement paid administrative leave for non-bargaining county employees who serve on selection committees; (2) implement this paid leave for bargaining unit employees who serve on selection committees by obtaining the written consent of the applicable collective bargaining agents; (3) negotiate the inclusion of this paid leave in the County's collective bargaining agreements; (4) propose amendments to leave manual consistent with this resolution; and (5) provide a report.

Actions and Recommendation

In accordance with the Resolution, the Human Resources Department (HR) has obtained written consent from all applicable collective bargaining agents. Thus, all County employees who are appointed and serve as a scoring member of a Competitive Selection Committee under Implementing Order No. 3-34, and timely completed all committee-related duties, are granted one day of paid administrative leave, to be used within one year from the date that the employee completes his or her service on the committee. Additionally, HR will negotiate with the two collective bargaining agents with outstanding collective bargaining agreements (CBA) for the 2023-26 term, and with the seven other collective bargaining agents during the 2026-29 negotiation term for inclusion in the County's applicable bargaining agreements.

Attached are the proposed amendments to the Miami-Dade County Leave Manual for the Board to approve, amend or reject.

The Strategic Procurement Department (SPD) will monitor the Competitive Selection Committee and provide member eligibility for administrative leave to the corresponding department when required. Availability and use of the administrative leave will be monitored by the respective departments.

Fiscal Impact

The fiscal impact of implementing the requirements of this directive cannot be determined at this time.

Pursuant to rule 5.06(j) of the Board's Rules of Procedure, this report will be placed on an agenda of the full Board without committee review. Should you have any questions regarding the Competitive Selection Committee, please contact Alex Alfonso, Assistant Director, Strategic Procurement Department at alex.alfonso@miamidade.gov. Questions concerning Administrative Leave can be directed to Melanie McLean, Human Resources Deputy Director at melanie.mclean@miamidade.gov.

Attachment

c: Honorable Juan Fernandez-Barquin, Clerk of Court and Comptroller
Honorable Pedro J. Garcia, Property Appraiser
Lazaro Solis, Deputy Property Appraiser
Geri Bonzon-Keenan, County Attorney
Office of the Mayor Senior Staff
Felix Jimenez, Inspector General
Jose J. Arrojo, Executive Director, Commission on Ethics and Public Trust
Javier A. Betancourt, Executive Director, Citizens' Independent Transportation Trust
William Diggs, Executive Director, Miami-Dade Economic Advocacy Trust
Aileen Bouclé, Executive Director, Transportation Planning Organization
Yinka Majekodunmi, Commission Auditor
Jennifer Moon, Chief, Office of Policy and Budgetary Affairs
Department Directors
Basia Pruna, Director, Clerk of the Board
Eugene Love, Agenda Coordinator



Miami-Dade County Leave Manual

Updated 7/6/2023

MDC008



LEAVE MANUAL

		No. 17.01.00
SUBJECT ADMINISTRATIVE LEAVE: GENERAL	LEAVE CODE AD	DATE ISSUED 03/03/1987

Administrative leave is defined as time excused from work with pay.



LEAVE MANUAL

		No. 17.02.00
SUBJECT ADMINISTRATIVE LEAVE: ELIGIBILITY	LEAVE CODE AD	DATE ISSUED 03/03/1987

Employees in ALL status codes are eligible for administrative leave.

LEAVE MANUAL

		No. 17.03.00
SUBJECT ADMINISTRATIVE LEAVE: AUTHORIZED USE	LEAVE CODE AD	DATE ISSUED/REVISED 03/08/2002 07-06-2023

17.03.01 Administrative leave must be authorized by the department director.

17.03.02 Administrative leave may be granted only for the following purposes:

- a) To apply for County positions, take County civil service exams, appear for interviews in County departments or receive counseling from the Recruitment, Compensation and Testing Division.
- b) To grant time off with pay for job basis employees who have worked in excess of their normal work schedule. However, this is discretionary on the part of the department director, and administrative leave is not “earned” on an hour for hour basis.
- c) To authorize the paid absence of an employee for the good of the County service, where any such absence exceeding one work day is approved by the department director. Examples of this use of administrative leave are granting an employee reasonable time off to vote not to exceed one hour if the employee is a registered voter in the jurisdiction holding an election or granting time off to attend the funeral of a fellow employee.
- d) To permit time off with pay for non-essential employees during extreme weather or other emergency situations, as authorized by the County Manager.
- e) To permit employees to take the citizenship qualification examination given by the Department of Homeland Security to become a United States citizen and to permit them to appear for the final hearing in the citizenship process.
- f) To take physical examinations as required by the County.
- g) To pollworkers and election support personnel in accordance with Administrative Order 4-76.
- h) Up to three (3) hours of administrative leave may be granted for the initial evaluation session under the Employee Support Services.
- i) An employee who is a member of the Florida National Guard shall, upon presentation of a copy of official orders issued pursuant to Florida statutes, be granted administrative leave for the time the employee is ordered to active state service by the Governor of Florida. Such leave will not exceed thirty (30) calendar days at any time.
- j) Non-bargaining County employees and all other employees covered by collective bargaining agreements whose agreement explicitly provide for this benefit, who are appointed and serve as a scoring member of a Competitive Selection Committee under Implementing Order No. 3-34 are granted one (1) day of administrative leave, to be used within one (1) year from the date that the employee completes his or her service on the committee, provided that the employee was a scoring member of the committee and timely completed all committee-related duties.



LEAVE MANUAL

		No. 17.04.00
SUBJECT ADMINISTRATIVE LEAVE: BENEFITS PERIOD	LEAVE CODE AD	DATE ISSUED 03/03/1987

Administrative leave may be paid without an annual limit.



LEAVE MANUAL

		No. 17.05.00
SUBJECT ADMINISTRATIVE LEAVE: BENEFITS AMOUNT	LEAVE CODE AD	DATE ISSUED 03/03/1987

Employees on administrative leave are paid for the number of regularly scheduled work hours from which they are excused from work.