

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," TO COINCIDE WITH THE TERMS OF THE 2024-2027 GENERAL EMPLOYEES COLLECTIVE BARGAINING AGREEMENT BY AMENDING SECTION 34.108, "PAY PLANS," TO ADJUST THE PAY AMOUNTS FOR TEMPORARY POSITION UPGRADES; BY AMENDING SECTION 34.110, "MERIT SALARY INCREASES," TO REFLECT PERFORMANCE PAY INCREASES; BY DELETING SECTION 34.113 "LONGEVITY INCREASES," IN ITS ENTIRETY; BY AMENDING SECTION 34.126, "PROBATIONARY PERIOD," TO CHANGE THE PERIOD TO SIX-MONTHS FOR NEW HIRES; BY AMENDING SECTION 34.127, "HOURS OF WORK," TO INCORPORATE THE TEN HOUR WORKDAY; BY AMENDING SECTION 34.128, "LEGAL HOLIDAYS," TO ADD NEWLY OBSERVED HOLIDAYS; BY AMENDING SECTION 34.129, "VACATION LEAVE," TO ADJUST THE APPLICABLE VACATION CREDITS FOR FULL TIME EMPLOYEES; BY AMENDING SECTION 34.130, "SICK LEAVE," TO ADD ACCUMULATED TIME FOR THE TEN HOUR WORK DAY AND TO REFLECT THE MAXIMUM PAYOUT UPON SEPARATION FROM THE CITY; BY AMENDING SECTION 34.132, "LEAVE OF ABSENCE," TO INCREASE LEAVE WITH PAY BENEFITS; AND BY AMENDING SECTION 34.135, "OUTSIDE STUDY COURSES," TO CHANGE THE ELIGIBILITY PERIOD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 34.108, “Pay Plan,” of Chapter 34, “City Policy,” of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.108 PAY PLANS.

(A) The pay plan shall consist of minimum and maximum rates of pay for each existing pay grade (position classification) as adopted by the City Commission by ordinance. The pay plan is intended to provide equal pay for equal work, and shall reflect the current pay grades as indicated by the position classification plan.

(1) An employee who is assigned by the Department Head or the City Manager to temporarily assume the duties and responsibilities of another employee in a higher classification shall receive a 5% increase in his or her base rate of pay for the time actually spent working in that higher classification ~~in excess of the equivalent of one full work week per occurrence on the date the employee temporarily assumes the duties and responsibilities of the higher classification,~~ provided the Department Head or City Manager (or designee) provides written notice to the Human Resources Director confirming the employee’s eligibility to receive the temporary upgrade pay, as well as the specific dates the employee will be provided with the temporary upgrade pay. If the employee is working in a classification that is 10 % or more above his or her regular job classification, he or she shall receive an additional 5 % increase in base rate of pay for all time worked after the 15th consecutive workday. The City Manager may, in his or her sole and exclusive discretion, grant an additional 5% increase after the 15th consecutive workday working in the higher classification.

...

SECTION 2. That Section 34.110, “Merit Salary Increase,” of Chapter 34, “City Policy,” of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.110 MERIT SALARY INCREASES.

Merit salary increases are not automatic and may be granted at six-month intervals to employees whose effective date of employment is before October 1, 1977, up to a maximum of five such increases, to be calculated from the effective date of employment. Employees whose effective date of employment is on or after October 1, 1977 may be granted merit salary increases at one-year intervals. Except as provided in § 34.113, an employee’s salary may not exceed the maximum salary approved for his or her pay grade.

(A) Revisions to the pay plan, promotions, or reclassifications, are not considered as salary increases for purposes of calculating increase anniversary dates, and do not change an employee's increase and anniversary date.

...

(C) Merit salary increases will be granted as follows until the employee's salary reaches the maximum of his or her assigned pay grade:

- (1) 0 % of current salary for marginally effective performance,
- (2) 2 % or 2.5 % of current salary for fully effective performance,
- (3) ~~4 %~~ 3 % or 3.5 % of current salary for very effective performance, and
- (4) ~~6 %~~ 4 % of current salary for outstanding performance.

...

SECTION 3. That Section 34.113, "Longevity Increases," of Chapter 34, "City Policy," of the City of Pompano Beach Code of Ordinances is hereby deleted in its entirety.

SECTION 4. That Section 34.126, "Probationary Period," of Chapter 34, "City Policy," of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.126 PROBATIONARY PERIOD.

(A) The probationary period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of the new employee to his position, and for rejecting any employee whose performance does not meet the required work standards. The probationary period for new employees hired after October 1, 2024, shall be for a period of six months.

...

SECTION 5. That Section 34.127, "Hours of Work," of Chapter 34, "City Policy," of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.127 HOURS OF WORK.

...

(B) The normal workday for city employees shall be either an eight-hour day; or ten-hour day, not including the lunch period. Departments or divisions that must work other than an eight-hour or ten-hour day, due to unusual schedules or differing hours open to the public, may schedule their employees as required, subject to the approval of the City Manager and subject to the normal workweek established by ordinance by the City Commission. The work schedule for combat-shift firefighters shall be as established by ordinance by the City Commission.

SECTION 6. That Section 34.128, “Legal Holidays,” of Chapter 34, “City Policy,” of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.128 LEGAL HOLIDAYS.

(A) The following legal holidays shall be observed by city employees except those employees required to be on regular duty on a holiday. New Year’s Eve, New Year’s Day (~~1½ working days~~), Birthday of Martin Luther King, Jr. (the third Monday in January), Washington’s Birthday, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran’s Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve, Christmas Day (~~1½ working days~~), two personal days per fiscal year to be designated by the employee, and any other days as designated by the City Commission. When a holiday falls on a Saturday or Sunday, the City Commission shall determine the day which shall be observed as a holiday for city employees.

...

SECTION 7. That Section 34.129, “Vacation Leave,” of Chapter 34, “City Policy,” of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.129 VACATION LEAVE.

(A) All regular permanent employees, except as noted below, who have been continuously employed for a period of six months or longer shall be credited with earned vacation leave in accordance with the schedule set out below, provided, however, that the City Manager shall have the authority to authorize vacation time as accrued in the first six months of a regular permanent employee’s employment with the City of Pompano Beach for good cause shown by the employee.

| <i>Completed Service</i> | <i>Vacation Credit Per Vacation Year</i> |
|---------------------------------------|--|
| 6 months <u>1</u> -5 years | 10 <u>9</u> days |
| 6-13 years | 15 <u>12</u> days |
| 14 years or longer | 20 <u>18</u> days |
| ... | |

SECTION 8. That Section 34.130, "Sick Leave," of Chapter 34, "City Policy," of the City

of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.130 SICK LEAVE

(A) Sick leave with pay shall be granted to all permanent or probationary employees at the accrued rate of eight hours credit for each completed month of service: for employees working five-day, eight-hour shifts. Employees working four-day, ten-hour shifts shall accrue ten hours credit for each month of service. Employees of the Fire Department who work on a combat shift basis shall accrue 12 hours of sick leave credit for each completed month of service. Sick leave shall be computed on a fiscal year basis, but shall accrue for only those months during which an employee has worked or has been paid for three quarters or more the regular work days. Employees may accrue an unlimited amount of sick leave to be used as set forth herein. Sick leave shall not be considered as a right which may be used at the employee's own discretion but rather as a privilege. An employee shall be eligible to use sick leave credits for any period of absence from employment which is due to personal illness, bodily injury, maternity, medical quarantine due to exposure to a contagious disease, or attendance upon members of the immediate family who are ill where the employee's presence is required. Unless authorized pursuant to the procedures and policies established pursuant to ~~divisions~~ subsections (K) and (1) of this section, no more than five working days in any calendar year and no more than five combat shifts for Fire Department employees on shift schedules may be taken as sick leave because of illness within the immediate family. In order to be granted sick leave with pay and employee must meet the following conditions:

...

(F) Employees who resign in good standing shall be paid a maximum of one-half of their accrued sick leave not to exceed 50% of ~~840~~ 1000 hours, provided they have completed five years of continuous service with the city and any employee separated from employment prior to completing five years of continuous service shall forfeit and not receive compensation for any accrued sick leave. The foregoing notwithstanding, for non-bargaining employees who began their employment with the city prior to June 18, 1991 and have, in addition, maintained continuous service throughout such time, compensation shall be paid for accrued sick leave as set forth in this section regardless of their length of service.

(G) Employees who retire shall be paid their accrued sick leave to a maximum amount of ~~840~~ 1000 hours, provided they have completed five years of continuous service with the city and any employee separated from employment prior to completing five years of continuous service shall forfeit and not receive compensation for any accrued sick leave. The foregoing notwithstanding, for non-bargaining employees who began their employment with the city prior to June 18,

1991 and have, in addition, maintained continuous service throughout such time, compensation shall be paid for accrued sick leave as set forth herein regardless of their length of service. For the purposes of this ~~division~~ subsection (G) any employee who had accumulated more than 840 hours of sick leave credit as of October 1, 1984 shall retain the number of hours as the maximum amount that the employee is entitled to receive.

...

(J) Sick leave payout as provided for in ~~divisions~~ subsections (F) through (H) shall be computed by multiplying the appropriate number of sick leave hours (the number of hours at or below the cap after being adjusted by the appropriate payout percentage) by the employees' average earning of their last ~~ten~~ five years of employment.

...

(M) Sick leave conversion. Effective September 30, 1994 and on each September 30 thereafter, employees may convert a maximum of the unused portion of one-half of their annual sick leave accrual into annual leave. Conversion shall be subject to the following:

(1) Conversion calculation shall be based on sick leave accrued and utilized during the converting fiscal year.

(2) An employee will be eligible to convert sick leave if all of the following conditions are met:

(a) Following a conversion, regular employees working five eight-hour work days shall retain a minimum of 96 unused sick leave hours. Regular employees working four ten-hour work days shall retain a minimum of 120 unused sick leave hours.

(b) An employee working five eight-hour work days may convert up to a maximum of 48 hours of sick leave in any converting year provided upon conversion there remain a minimum of unused accrual from the converting year of 48 hours. An employee working four ten-hour work days may convert up to a maximum of 60 hours of sick leave in any converting year provided upon conversion there remains a minimum of unused accrual from the converting year of 60 hours.

(3) Conversions of sick leave for employees who work eight-hour shifts must be in increments of eight hours provided, however, that through the conversion process, eight hours of sick leave will convert to four hours of annual leave, therefore, an employee must have a minimum of 16 hours of sick leave available ~~for conversion in order to be eligible to convert sick leave to annual leave.~~

For employees who work ten-hour shifts, conversions of sick leave must be in increments of ten hours provided, however, that through the conversion process, ten hours of sick leave will convert to five hours of annual leave, therefore, an employee must have a minimum of 20 hours for regular employees working four ten-hour work days for conversion in order to be eligible to convert sick leave to annual leave.

...

SECTION 9. That Section 34.132, "Leave of Absence," of Chapter 34, "City Policy," of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.132 LEAVE OF ABSENCE.

(A) Leave with pay.

(1) Leave with pay may be authorized in order that regular employees or temporary, hourly-paid employees may serve required jury duty, provided the leave is reported in advance to the Personnel Director. In order to receive pay for the leave, the employee must deposit the money which he receives for jury duty with the Personnel Director to be forwarded to the City Treasurer.

(2) Leave with pay not to exceed ~~three~~ four working days in any calendar year may be authorized in case of death within the employee's immediate family or of an employee's grandparent. In the event the death in the employee's immediate family requires an out-of-town trip, the City Manager may authorize up to an additional three days leave which shall be counted against the employee's accrued sick leave credits.

...

SECTION 10. That Section 34.135, "Outside Study Course," of Chapter 34, "City Policy," of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

§ 34.135 OUTSIDE STUDY COURSES.

(A) All full-time, permanent employees who have completed ~~one full year~~ six months of continuous service and who have attained a satisfactory rating on their employee rating reports shall be eligible to have reimbursed to them tuition and registration fees for any study course given by a recognized educational institution or a correspondence course approved by the City Manager, if the course is directly related to the employee's present work or expected future work. Approval

for the reimbursement must be obtained from the department head, the Personnel Director, and the City Manager prior to undertaking any study course, and the reimbursement shall be conditioned upon the employee having achieved a grade of C or better, or, where grades are not given, having successfully completed the course for which reimbursement is sought.

...

(B) The ~~one-year-of-service~~ six months of service requirements as outlined in ~~division~~ subsection (A) of this section shall not apply to members of the Fire Department in their enrollment in authorized courses of the city's paramedic training program.

SECTION 11. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 12. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2025.

PASSED SECOND READING this _____ day of _____, 2025.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

TAL:jrm
10/29/24
L:ord/ch34/2025-33