

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS
FINAL BILL ANALYSIS**

BILL #: HB 1373 Hillsborough County Civil Service Act
SPONSOR(S): Grant, J.
TIED BILLS: **IDEN./SIM. BILLS:** SB 1806

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	13 Y, 0 N	Darden	Miller
2) Oversight, Transparency & Public Management Subcommittee	12 Y, 0 N	Moehrle	Harrington
3) State Affairs Committee	19 Y, 0 N	Darden	Williamson
FINAL HOUSE FLOOR ACTION: 113			
GOVERNOR'S ACTION: Approved			
Y's 2 N's			

SUMMARY ANALYSIS

HB 1373 passed the House on April 11, 2019, and subsequently passed the Senate on May 1, 2019.

The Hillsborough County Civil Service Act (Act) was initially adopted in 1951 and re-codified in 2000. The Act applies to all agencies and authorities of Hillsborough County and currently covers approximately 10,000 employees. The Act is intended to ensure a uniform system exists for:

- Creating and abolishing employment positions;
- Filling vacancies;
- Managing probationary periods for new employees;
- Handling the suspension, demotion, or dismissal of an employee;
- Handling disciplinary appeals; and
- Recommending and adopting pay plans.

The provisions of the Act are enforced by the Civil Service Board, a seven-member board of qualified electors appointed by the Governor and confirmed by the Senate for four-year terms. Members of the Board may not be current elected officials or employees of any appointing authority. The board is funded by a county appropriation equal to 0.65 percent of the classified personnel payroll expenses of covered entities for the preceding fiscal year.

The bill repeals the Hillsborough County Civil Service Act and requires each agency or authority covered by the Act to adopt fair, neutral, and impartial disciplinary procedures. The bill requires any system adopted to enforce disciplinary procedures to apply uniformly to all agencies and to provide protections to tenured employees that are substantially similar to the protections provided by the Act.

The bill was approved by the Governor on May 23, 2019, ch. 2019-183, L.O.F., and will become effective on October 1, 2019.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Hillsborough County Civil Service Act

The Hillsborough County Civil Service Act (Act) was initially adopted in 1951 and re-codified in 2000 as the "Civil Service Act of 2000."¹ The Act applies to all agencies and authorities of Hillsborough County except for the judiciary, the district school board, and municipalities in the county. The provisions of the Act are enforced by the Civil Service Board (Board), a seven-member board of qualified electors appointed by the Governor and confirmed by the Senate for four-year terms. Members of the Board may not be current elected officials or employees of any appointing authority.

A classified employee is defined as a person whose position is subject to the rights contained in the Act and in the rules adopted by the Board.² The Civil Service Board serves 21 county agencies with approximately 10,000 employees.³

The purpose of the Act is to ensure the uniform administration of classified employees based on merit principles such as:⁴

- Recruitment, selection, compensation, benefits, and advancement of employees based on their ability, knowledge, skills, and personal capabilities;
- Retaining employees based on their performance, including correction and/or separation for inadequate performance; and
- Fair treatment of applicants and employees without regard to personal attributes.

The Act contains detailed provisions related to executing personnel functions, including:⁵

- Creating and abolishing positions;
- Filling vacancies;
- Probationary employment;
- Suspensions, demotions, and dismissals;
- Appeals; and
- Recommendation and adoption of pay plans.

County agencies and authorities may opt out of all provisions of the Act except those relating to suspension, demotions, dismissals, and appeals.⁶ A county agency or authority may choose to opt out during an election period open during the month of December, with changes to take effect on the first day of the next fiscal year.⁷

The Board is funded by an annual appropriation from the Board of County Commissioners of Hillsborough County equal to 0.65 percent of the classified personnel payroll expenses for the preceding fiscal year minus the cost of providing personnel functions that an agency or authority has

¹ Ch. 1951, 27601 and ch. 2000-445, Laws of Fla.

² Ch. 2000-445, s. 4, Laws of Fla.

³ Civil Service Board of Hillsborough County, *About the Hillsborough County Civil Service Board*, <http://hccsb.org/about/> (last visited Mar. 11, 2019).

⁴ Ch. 2000-445, s. 2, Laws of Fla.

⁵ Ch. 2000-445, s. 7(2), Laws of Fla.

⁶ Ch. 2014-230, s. 1, Laws of Fla. (amending ch. 2000-445, s. 4, Laws of Fla).

⁷ *Id.*

chosen to conduct itself.⁸ The Board of County Commissioners is also required to provide funds to the Board to cover the cost of personnel functions which an agency or authority has opted out of and chosen for the Board not to provide directly, but where the Board has been contracted to provide the function on behalf of the agency or authority. In fiscal year 2019, the Board has an adopted budget of \$1.777 million.⁹ The Board employs nine full-time employees.

Effect of the Bill

The bill repeals the Hillsborough County Civil Service Act.

The bill requires all agencies and authorities previously covered by the Act to provide a fair, neutral, and impartial system for administering employee discipline, including suspensions, involuntary demotions, and dismissal of employees, as well as the appeals of any such decisions. The bill requires the system established by the county to be uniform for all agencies and to provide tenured employees with protections that are substantially similar to those provided by the Act.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The Economic Impact Statement (EIS) projects the bill will save the county \$1,971,750 per year (the current budget of the Civil Service Board) and will result in approximately \$500,000 in increase costs for the administration of the civil service system by the county.¹⁰

C. ECONOMIC IMPACT STATEMENT FILED? Yes [X] No []

⁸ Ch. 2000-445, s. 15, and ch. 2014-230, s. 1, Laws of Fla. This would mean, for example, an agency with an annual classified employee payroll of \$1,000,000 would require the county to budget \$6,500 in funding to the Board for the upcoming fiscal year.

⁹ Hillsborough County, *FY 19 Adopted Budget 346*, available at <https://www.hillsboroughcounty.org/library/hillsborough/media-center/documents/budget/fy-19/0fy19-adopted-budget/00-web-version-fy19-adopted-budget.pdf> (last visited Mar. 11, 2019).

¹⁰ See 2019 Economic Impact Statement, at

<https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=EconomicImpactStatement.pdf&DocumentType=localbilldocuments&Session=2019&BillNumber=1373> (last visited May 6, 2019).

D. NOTICE PUBLISHED? Yes No

IF YES, WHEN? February 2, 2019.

WHERE? The *Tampa Bay Times*, a daily newspaper of general circulation published in Hillsborough County, Florida.

E. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?