



St. Johns County Administrative Code

Section: Personnel

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All forms referenced in the policy are located on the St. Johns County Intranet.



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Title: 401 Introduction	Issued: Apr 1992
Reference: F.S. 125.74 & SJC 2006-18	Revised: Aug 2007 June 2012

401.1 Purpose

The purpose of this policy is to provide overall guidance and direction to management, staff, and volunteers. The policy does not constitute, either implicitly or explicitly, a binding contractual or personnel agreement. The County reserves the right to change any portion of this policy at any time.

401.2 Establishment of the County

St. Johns County was established in 1821. St. Augustine, the County seat, was founded in 1565 by Spanish explorers and is the nation's oldest city. The County encompasses approximately 608 square miles and is located in the northeast region of the State of Florida directly south of Duval County, Florida (Jacksonville), and is bordered on the west by the St. Johns River, on the south by Flagler County and on the east by the Atlantic Ocean.

401.3 Structure of the County Government

St. Johns County provides numerous and various services to the public as a general-purpose local government. The Board of County Commissioners of St. Johns County is organized under Article III of the State of Florida Constitution, which empowers the creation of counties as a political subdivision of the State. St. Johns County is a non-chartered County and has the power of self government as provided by general law and through County ordinances. There are five commission members elected at large serving four-year terms of office. The County Administrator serves as the Chief Administrative Officer of the County, in accordance with F.S. 125.74.

401.4 Scope

The policies and procedures in the St. Johns County Administrative Code cover all employees of St. Johns County Board of County Commissioners. The wages, hours and working conditions of all employees in a certified bargaining unit are governed by the terms of the applicable collective bargaining unit agreement. To the extent that any provision in the General Procedures in bargaining unit agreements conflicts with provisions in this manual, the collective bargaining unit agreement will govern. St. Johns County Resolution number 2006-128 authorizes the County Administrator to make all administrative changes to the Administrative Code established by the Board of County Commissioners.



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Title: 402 Employment	Issued: Apr 1992
Reference: F.S. 435, F.S. 295, C. O. 2003-64 Florida Administrative Code 55A-7	Revised: Aug 2007 June 2012

402.1 Equal Opportunity Employment

St. Johns County is an equal opportunity employer. All employment actions are taken without regard to race, religion, national origin, color, sex, marital status, age, disability, or genetics. The Board of County Commissioners has adopted an Equal Employment Opportunity Plan, which outlines its goals and responsibilities, and the implementation process and may be reviewed by contacting the County's EEO Officer, the Personnel Services Department Director.

402.2 Recruitment

St. Johns County selects the best and most fully qualified applicants for position vacancies in keeping with its Equal Opportunity policy. Position vacancies are advertised through the Personnel Services Department and are posted on both the Intranet and Internet. The only means by which to apply for a vacant position is electronically via the Online Application System (OAS).

St. Johns County values its employees and as such may advertise for vacant positions internally prior to seeking applicant interest from outside sources. Regular status part time and full time employees may apply for internally advertised positions for which they are qualified and interested. Employees in a probationary status (initial or otherwise) are not eligible to apply for advertised positions.

Vacancies may not be advertised or filled until approval is obtained through the standard process.

Employees must meet the requirements of the job description, be capable of performing the essential functions of the job (with or without a reasonable accommodation), have a satisfactory work record, and not be in a probationary status to apply for an advertised vacancy. Employees must post their application/resume in the OAS during the advertisement period to be considered for the vacant position.

The County Administrator reserves the right to hire or promote individuals to vacancies without posting the position if it is in the best interest of the County. The Board of County Commissioners shall approve all Department Director new hires.

402.3 Job Posting

The County believes in promoting employees from within and has established a job-posting program to give all regular full time and regular part time employees an opportunity to apply for positions in which they are interested. Vacancies are normally posted on the Internet and on all departments' designated bulletin boards. Postings generally include the title, the salary range, the minimum hiring qualifications, the essential functions of the job, and the closing date for filing applications. Positions are normally posted for five workdays.

Employees are not required to notify their supervisor when submitting an application for a posted position. However, if the employee is selected as a finalist for the position, the supervisor will be notified prior to the completion of the application process for, among other things, a recommendation.



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All vacant positions that occur as a result of resignation, termination, retirement, or transfer must have the Personnel Services Director or designee's approval to be filled. Once approval is obtained, and in keeping with the County's policy on open recruitment, all vacancies will normally be posted in the following manner:

- 1) The Department Director will notify the Personnel Services Department to post the vacancy after ensuring the job description is current.
- 2) Job postings will be posted for a period of five (5) working days. A posting notice will be sent via email to all employees and will be posted on the Internet and all department official bulletin boards.
 - Regular full time and regular part time employees who desire to be considered for an internal posted vacancy must submit a current application/resume the week of the posting period via the OAS.
 - All submitted applications/resumes of current County employees who apply for open positions will be reviewed and considered by the department filling the vacant position.
 - All applications/resumes that meet the minimum qualifications will be reviewed by the hiring manager prior to scheduling interviews.
 - Personnel Services will contact the selected applicant and send written notices to the applicants who were interviewed advising them that they were not selected for the position.
 - When hiring an internal applicant, the two departments involved will be responsible for finding an agreeable date when the employee will be transferred.

402.4 Veterans' Preference

St. Johns County values the service and skills of veterans and complies with the Statute governing Veterans' Preference. In order to receive preference the applicant must furnish appropriate documentation at the time of application by uploading relevant documents to the OAS.

Chapter 295 of the Florida Statutes sets forth certain requirements for public employers to accord preferences, in appointment, retention, and promotion, to certain veterans and spouses of veterans who are Florida residents. The relevant portions of the law apply to "the state and its political subdivisions."

The County will follow the requirements of Chapter 295, Florida Statutes and Chapter 55A-7, F.A.C., in determining eligibility for Veterans' Preference.

Veterans' Preference is extended to:

- A veteran with a service-connected disability who is eligible for or receiving compensation, disability retirement, or pension under public laws administered by the U.S. Department of Veterans Affairs and the Department of Defense.
- The spouse of a veteran who cannot qualify for employment because of a total and permanent service-connected disability, or the spouse of a veteran missing in action, captured, or forcibly detained by a foreign power.
- A veteran of any war who has served on active duty for one day or more during a wartime period, excluding active duty for training, and who was discharged under honorable conditions from the Armed Forces of the United States of America.
- A veteran who served honorably but who has not met the criteria for the award of a campaign or expeditionary medal for service in Operation Enduring Freedom or Operation Iraqi Freedom qualifies for preference in appointment effective July 1, 2007.

Preference in appointment and employment requires a preferred applicant be given special consideration at each step of the employment selection process but does not require the employment of a preferred applicant over a non-preferred applicant who is the most qualified applicant for the position. Granting an interview is one



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example of the type of special consideration which may be given to a preferred applicant. If, at any step in the selection process, a determination is made that the veteran is not qualified to advance to the next step in the selection process, such determination will receive a review by the Personnel Services Department, to ensure whether the determination was correct.

The hiring manager is required to document and justify the decision to hire a non-preferred applicant over the preferred applicant and submit to Personnel Services Department for filing.

402.5 Employment of Persons with Disabilities

St. Johns County complies with the Americans with Disabilities Act, As Amended (ADA,AA) and prohibits discrimination against individuals with disabilities. All persons shall be treated fairly and given opportunities equal to those provided to all others working or seeking to work here.

The ADA.AA prohibits discrimination against people with disabilities in every aspect of employment. The listing is not inclusive and serves only to highlight some of the provisions in the law:

- Recruitment, advertising, and job application procedures.
- Hiring, upgrading, promotion, demotion, transfer, layoff, termination, right of return from layoff, and rehiring.
- Rates of pay or any other form of compensation and changes in compensation.
- Job assignments, job classification, organizational structures, position descriptions, lines of progression, and seniority lists.
- Leaves of absence, sick leave, or any other type of leave.
- Fringe benefits by virtue of employment, whether or not administered by the employer.
- Selection and financial support for training, including apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training.
- Activities sponsored by the employer including social and recreational programs.
- Any other term, condition, or privilege of employment.

402.6 Employment of Relatives

The County permits the employment of qualified relatives of existing County employees as long as such employment does not, in the opinion of the County, create actual or perceived conflicts of interest. For purposes of this policy, "relative" is a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. The County will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

- Relatives (blood, adoption, or marriage) are permitted to work in the same department but may not be directly or indirectly supervised by a family member (blood, adoption, or marriage).
- Employees who marry while employed are treated in accordance with these guidelines. That is, if, in the opinion of the County, a conflict or apparent conflict arises as a result of the marriage, one of the employees will be transferred at the earliest practical time.
- In addition, the County recognizes that at times, employees and their "close friends," "domestic partners," or "significant others" may be assigned to positions that create a coworker or supervisor-subordinate relationship. The County will, in its discretion, exercise sound judgment with respect to the placement of employees in these situations in order to avoid the creation of a conflict or the appearance of a conflict of interest, avoid favoritism or the appearance of favoritism, and decrease the likelihood of harassment in the workplace.

This policy applies to all employment categories including contract, temporary, and regular status.



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402.7 Background Screening

Level I background screenings are required for all applicants who have been extended a conditional offer of employment and persons who have sought out volunteer opportunities. Background screenings include, but are not limited to, national and local criminal history check, driver license record checks, national sex offender check, and employment history check. Employees/volunteers who are required by State Statute to undergo a Level II background screening shall do so in strict compliance with the Statute.

Applicants who undergo a Level I or Level II screening and who are awaiting final disposition of a felony case or, who in the past ten (10) years were found guilty of a felony offense, have had adjudication withheld in a felony case, or entered into pre-trial intervention in a felony case may not be selected for the position applied for if it is determined that the arrest record and/or the Court's action is relevant to the position and therefore makes the applicant unfit for the position.

Employees and volunteers may be re-screened at any time for reasonable cause. If grounds exist for the termination of employment as a result of a background screening, the employee/volunteer shall be notified in writing, stating the specific record that indicates noncompliance with the standards in this policy. The affected employee/volunteer may appeal the termination in accordance with the appeal policy. The only basis for contesting the termination is proof of mistaken identity. An employee/volunteer who refuses to cooperate in such screening or refuses to timely submit the information necessary to complete the screening, including fingerprints if required, shall be dismissed.

402.8 Monitoring/Inspecting

In order to promote the safety and welfare of its employees, visitors, and citizens, and to ensure the security of its property, the County may use reasonable methods to monitor, inspect, and/or conduct surveillance of any portion of its premises, property, or employees. Employees have no expectation of privacy in any area in which County business is conducted, any work area, break area, or other area on the County's premises that is open to public view. In addition, employees who use County vehicles are subject to monitoring, inspection, and surveillance during such use. The County's monitoring may include, but is not limited to the use of video surveillance, GPS tracking devices, or other electronic methods of surveillance.

402.9 New Employee Orientation

In the first few months of employment, every new employee shall be scheduled to participate in an orientation program conducted by the Personnel Services Department. During this mandatory training, each employee will receive important information regarding St. Johns County policies and benefit programs and other information necessary to acquaint the employee with St. Johns County government.

402.10 Anniversary Date

Anniversary dates are established twelve (12) calendar months, to the day, following the date of hire or reinstatement.

402.11 Hours of Work

A regular workweek for County employees is forty (40) hours during a seven-day period (Sunday – Saturday). Because of varying requirements placed upon each department, there is no standard scheduled hours of work.

402.12 Punctuality

The attendance and punctuality of employees are essential to the smooth operation of the County. Employees are expected to be at work at the time scheduled except when prior permission for absence has been approved



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by the Department Director or designee or, when serious illness or other emergencies occur. Employees who are unable to come to work are required to contact their department within one (1) hour of the beginning of the workday unless otherwise specified by the department. Failure to notify the department within the specified period will result in the employee being absent without approval and result in disciplinary action and loss of pay for the missed time.

402.13 Continuous Service Awards

An annual ceremony will be held to recognize the continuous year service milestones of employees. Employees shall be recognized in five (5) year increments.

402.14 Employee of the Year

St. Johns County shall annually recognize one (1) employee as the Employee of the Year. The employee must have clearly demonstrated creativity, exemplary performance, provided exceptional organizational contributions, and modeled excellent service to the public.

A recognition committee will be comprised of five (5) voting members (one Assistant County Administrator, one Division Manager, one Personnel Services professional, and two randomly selected employees below the manager level).

Selection Committee's responsibilities:

- Review the criteria, procedures, timelines, and forms and make recommendations for changes, as necessary.
- Convene to review nominations and select the award winner. The committee may also, at their discretion, conduct an interview of all nominees.
- Draft special recognition letters for all nominees.
- Submit the selection recommendation to the County Administrator for approval.

Budget

The Personnel Services Department will budget for this award.

- Annual cash award for one (1) recipient: \$500.00 I series savings bond.
- Plaque for one (1) recipient: \$200.00.

Eligibility

All full time and part time employees who have served as a St. Johns County employee for at least twelve (12) consecutive months are the only employees eligible for this award. Employees nominated for this award must also have a satisfactory performance evaluation for the fiscal year in which they are nominated. Failure to meet all of the eligibility criteria will result in disqualification. Employees who serve on the selection committee are ineligible for the award. No employee shall receive the award for two (2) consecutive years.

Nomination Criteria

Any employee may nominate another as long as the nominee meets the eligibility requirements. Employees who nominate an eligible employee must obtain endorsement from the nominee's Department Director prior to submission. Failure to obtain the appropriate endorsement will be cause for disqualification. The nominators are responsible to complete the nomination form. Nominations may also include supporting documents (letters, commendations, news clippings, photos, etc.) but the written recommendation is restricted to the form and five (5) additional pages.



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Exceptional performance beyond the established duties and responsibilities of the individuals nominated must be justified on the nomination form. Criteria used to support the nomination may include, but are not limited to:

- Exceptional organizational contributions.
- Project completion.
- Development of a new or modified business practice.
- Modeled outstanding service to the public.
- Exemplary productivity/performance.
- Safety/Heroism.
- Instituted creative/innovative efficiencies reducing spending.

402.15 Personnel Files

The Personnel Services Department maintains the official personnel files for all employees. These files contain documentation regarding all aspects of employment such as performance appraisals, disciplinary actions, and letters of commendation. Employees may review their own personnel file at any time by contacting the Personnel Services Department to schedule a time for review. To maintain up-to-date files, the Personnel Services Department must be notified of any changes to employee personal information including: name, telephone number, home address, marital status, beneficiaries, and individual to notify in case of an emergency. Personnel files are subject to public inspection under the Public Records Act.

402.16 Attendance and Leave Records

Each department is required to keep an accurate record of all hours worked by each employee, as well as a complete and accurate record of all authorized approved leave. The responsibility for the accuracy and maintenance of all attendance and leave records rests with each department. Falsification of leave records by an employee is cause for dismissal.

402.17 Driver's License and Record

In order to meet the operational needs of the organization all employees are required to have and maintain a valid Florida driver's license unless waived by the Personnel Services Department. Employees who fail to inform their supervisor, and continue to drive a County vehicle or use their privately owned vehicle while in the conduct of County business after having their Florida driving privileges (license) cancelled, suspended, or revoked may have their employment terminated. It is the employee's responsibility to maintain insurance on any personal vehicle used to conduct County business in accordance with state law. In the event of an accident the "at-fault" driver's insurance is primary.

Driver Records for all employees are checked annually in accordance with the following requirements:

Class A Violations

An employee who has a Class A violation within the past three (3) years normally receives a suspension from the Department of Motor Vehicles which issued the license. St. Johns County may suspend the driving privileges for anyone convicted of a Class A violation for a period up to eighteen (18) months. Additionally, these employees will be required to attend applicable driver improvement program courses from the Northeast Florida Safety Council, at their own expense, before being permitted to drive a County vehicle. Employees who receive a Class A citation from a Law Enforcement Officer are required to notify their supervisor within twenty-four (24) hours of receiving the citation or the next business day whichever is sooner. Failure to do so may result in disciplinary action.

Class A Violations include:



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- Driving while intoxicated.
- Driving under the influence of drugs.
- Negligent homicide arising out of the use of a motor vehicle (gross negligence).
- Operating a vehicle during a period of suspension or revocation.
- Using a motor vehicle for the commission of a felony.
- Aggravated assault with a motor vehicle.
- Operating a motor vehicle without owner's authority.
- Permitting an unlicensed person to drive.
- Reckless driving.
- Hit and run driving.

Class B Violations

Class B Violations are all moving violations not listed as Class A violations including exceeding posted speed limit.

1) 2 in 3

Any employee who has a combination of two (2) Class B moving violation convictions and/or chargeable accidents in a three (3) year period will be counseled verbally by their supervisor.

2) 3 in 3

Any employee who has a combination of three (3) moving violation convictions and/or chargeable accidents in a three (3) year period will be counseled verbally by their supervisor and, at their own expense, must complete the Basic Driver Improvement course through the Northeast Florida Safety Council (either by physical attendance or through the on-line course) and show proof of course completion within 30 days of notice. Failure to show proof of attendance with a passing grade may result in the employee being suspended from driving County vehicles for a period of ninety (90) days.

3) 4 or more in 3

Any employee who has more than four (4) moving violation convictions or four (4) chargeable accidents or any combination of more than four (4) of the formerly stated violations in a three (3) year period will be counseled verbally by their supervisor and shall complete, at their own expense, the Basic Driver Improvement course and the Traffic Collision Avoidance Course through the Northeast Florida Safety Council (either by physical attendance or through the on-line courses) and show proof of course completions within thirty (30) days of notice. Failure to show proof of attendance with passing grades may result in the employee being suspended from driving County vehicles for a period of at least one (1) year.

New Hires/Promotions

Applicants who have a Class A violation conviction within the past three (3) years and/or that have four (4) or more Class B violation convictions within the past three (3) years will not be eligible for employment with the County.

402.18 Exit Interviews

Employees separating from the County will have the opportunity to schedule an exit interview with a department staff member who is in a supervisory or management position or a Personnel Services representative. The purpose of the meeting is to discuss the reason for separation and to use that information to improve the organization. Employees leaving County employment as a result of work rule violations, unsatisfactory performance, or related reasons will not normally be scheduled for such an interview.



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Information shared in the exit interview process shall be documented and retained in the employee's personnel file.



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Title: 403 Volunteers	Issued: Jan 2006
Reference: Fair Labor Standards Act (FLSA) F. S. 435	Revised: Apr 2008 June 2012

403.1 Policy

Under the Fair Labor Standards Act, the term employee does not include any individual who volunteers to perform services for a governmental agency. An employee of the County cannot volunteer to perform the same type of service for which the employee is paid. If the volunteer work is considered the same, then the employee must be compensated for all hours worked and this would include overtime for any hours worked over forty (40).

A volunteer is a person who gives time or expertise to St. Johns County departments, their staff and clients with no compensation for service. This may include donating time or expertise or may be in a service-learning project for school. Persons may volunteer on a day-to-day basis or as a one-time-only project volunteer. Additionally, a person may provide funds, materials, or opportunities as a material donor without receiving monetary or material compensation. 501c3 organizations in contractual relationships with the County shall not be considered volunteers for the purposes of this policy.

County employees are not permitted to volunteer in any County department or office without prior approval from their Department Director and verification from the Personnel Services Department that the activity complies with FLSA requirements. Leave requests may be required if such volunteer work is performed during the employee's assigned work schedule.

Children under the age of fourteen (14) are not permitted to volunteer with St. Johns County unless they are supervised by a parent or guardian while in the conduct of their volunteer service. Persons volunteering who are under the age of eighteen (18) shall be closely supervised by a department staff member while the minor volunteer is in the conduct of their duties.

Relatives (blood, adoption, or marriage) are permitted to volunteer in the same department but may not be directly or indirectly supervised by a family member (blood, adoption, or marriage).

No volunteer shall have access to County owned or controlled buildings unless under the direct supervision of a paid County employee when any of the following conditions exist:

- The volunteer would have access to the County's communications, computer or information management systems.
- The volunteer would have access to any personnel files, employee records, medical records, or other sensitive documents.
- The volunteer would have access to any paid employee work areas.

When any of the above conditions exist, the paid County employee supervising the volunteer(s) must be on the premises and in contact with the volunteer(s).

403.2 Documentation Process

All potential volunteers shall complete an application which is located on the Internet. Applicants must agree to appropriate reference checks. Records shall be updated annually and reviewed for accuracy by the Department



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designee assigned to such task. These records shall include name, phone number, job assignment, screening records, policy acceptance documents, dates of service, and hours contributed.

403.3 Background Screening

Level I background screenings are required for all persons who have sought out volunteer opportunities with the organization. Background screenings include, but are not limited to, national and local criminal history check, driver license record checks, national sex offender check, and employment history check. Volunteers who are required by State Statute to undergo a Level II background screening shall do so in strict compliance with the Statute.

Volunteers who undergo a Level I or Level II screening and who are awaiting final disposition of a felony case or, who in the past ten (10) years were found guilty of a felony offense, have had a adjudication withheld in a felony case, or entered into pre-trial intervention in a felony case may not be selected for the volunteer position applied for if it is determined that the arrest record and/or the Court's action is relevant to the position and therefore makes the person unfit for the position.

Volunteers may be re-screened at any time for reasonable cause. If grounds exist for the release of volunteer as a result of a background screening, the volunteer shall be notified in writing, stating the specific record that indicates noncompliance with the standards in this policy. The affected volunteer may appeal the dismissal in accordance with the appeal policy. The only basis for contesting the dismissal is proof of mistaken identity. A volunteer who refuses to cooperate in such a screening or refuses to timely submit the information necessary to complete the screening, including fingerprints if required, shall be dismissed from volunteer service.

403.4 Training/Orientation

Each department is responsible for providing current and timely training to all volunteers. Included should be an orientation of expectations and responsibilities, County policies, as well as an introduction to staff and a facility tour. Volunteers are to adhere to the same policies as County employees and if policies are not followed the volunteer will not be permitted to return. Departments may have additional volunteer requirements and policies, however when in conflict this document supersedes all departmental policies.

403.5 Recognition

Recognition is an important component of the County's commitment to citizens' participation in its operations. Volunteers should be recognized for their efforts, for fulfillment of their commitment, and quality of their work. Volunteerism may be recognized during National Volunteer Week by the Board of County Commissioners. Departments may also recognize their volunteers individually. Individual groups classified as 501c3 shall not be included in Board of County Commissioners sponsored functions. They may, however be recognized in any manner the department and Board of County Commissioners deem appropriate.

403.6 Insurance

Volunteers must sign a waiver, releasing/absolving St. Johns County from any, and all, claims arising from their involvement in County volunteer programs. At its discretion or in compliance with State and Federal law, St. Johns County may offer the following protections to volunteers:

- Liability claims
The County's Liability Coverage may be extended to volunteers to protect and defend them if sued for an action taken while conducting County business within the scope of their volunteer responsibilities. Volunteers may be covered for claims made against them individually or as part of a joint claim.
- Auto Liability Claims



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The primary insurance coverage will be through the volunteer's personal automobile insurance policy for liability claims arising from accidents involving the use of a volunteer's private vehicle while conducting County business under normal circumstances.

- **On the Job Injuries**

Workers' Compensation insurance will be provided for volunteers injured while conducting County business.



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Title: 404 Compensation	Issued: Apr 1992
Reference: Fair Labor Standards Act (FLSA) F.S. 121.021 & F.S. 215.425, F.S. 448.110	Revised: Aug 2007 June 2012

404.1 Purpose

The purpose of this policy is to provide for the implementation of a uniform compensation administration practice authorized by the County Administrator for non-bargaining unit employees.

404.2 Concept

It is the policy of the County to establish and administer a system of compensation based on external competitiveness, internal equity, relative complexity and responsibility between classifications, market economic conditions, County financial policies and appropriate federal, state and local laws pertaining to compensation. This system shall be utilized to contribute to an environment conducive to employee recruitment, retention, motivation and productivity.

It is the practice of the County to establish and utilize a Pay and Classification Plan, which provides a systematic arrangement and inventory of positions grouped into classes/pay ranges indicative of the range of duties, responsibilities, and level of work performed. The classifications standardize the meaning, allocation and usage of the plan throughout the County based upon the similarity of work and duties performed.

404.3 Content of the Plan

The Plan includes groupings of positions into pay ranges on the basis of approximately equal difficulty and responsibility which requires the same general qualifications and which can be equitably compensated within the same salary grade. Classification standardizes the meaning, allocation and usage of the job title throughout the County based on similarity of work and duties performed. It is indicative of the work of the classification and shall be used in all human resources, accounting, budget, and related official records.

Written job descriptions for each job title are established and updated as necessary. Job descriptions contain the nature of work and relative responsibilities of the classification, the necessary knowledge, skills, and abilities required for adequate performance of the work, and the desirable experience and training needed for recruiting into the classification.

404.4 Administration and Maintenance of the Classification Pay Plan

The Board of County Commissioners, through the annual budget process, approves all positions of employment with the County. The Personnel Services Director shall approve the addition of new job titles and new classifications, the deletion of existing classes or job titles, and the adjustment of salary ranges. The County Administrator, or designee, shall approve changes to the Pay and Classification Plan and reclassifications.

404.5 Responsibilities

The Personnel Services Department is responsible for the following:

- Recommending compensation systems, policies and procedures to the County Administrator and, as appropriate, the Board and ensuring adherence to those implemented.



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- Developing, maintaining and revising job descriptions as a component for compensation decisions.
- Providing compensation administration reports and data needed for program review and control.
- Reviewing and providing recommendations for revising base pay rates, pay structures and pay practices at least annually to ensure effective recruitment, retention, motivation and productivity.
- Ensuring compliance with wage and hour laws and regulations.
- Consulting with employees, supervisors and management on compensation administration issues.
- Maintaining the pay plan schedule of pay grades for each classification consisting of hourly or annual rates for the pay ranges.

Department Directors, Operating Managers and Supervisors have responsibility for the following:

- Ensuring that approved budgets can support all of the actual and anticipated compensation needs in their respective departments for each fiscal year.
- Ensuring that approved compensation administration policies, programs and procedures are consistently followed in all divisions, departments and sections of the County.
- Reviewing job descriptions and ensuring the Personnel Services Director is informed of all new and changed jobs in order for the Personnel Services Department to analyze, audit and establish appropriate classifications.
- Recommending revisions to compensation administration policies, procedures and practices to the Personnel Services Director when necessary.

404.6 Components

Pay ranges shall be established as a part of the Pay and Classification Plan. Pay ranges will include a salary grade and the minimum and maximum for each pay grade and are arranged in steps. Administrative guidelines will be developed and implemented based on local, state and federal law, effective management principles and best market practices.

404.7 Amendments

Revised pay ranges will be considered by the Personnel Services Director in conjunction with studies indicating that revisions to the Pay and Classification Plan are necessary because of adjustments in internal equity or external competitiveness. Recommendations for amendments may be made by the Personnel Services Director to the County Administrator after full review by the Office of Management and Budget.

404.8 Pay Administration Guidelines

All non-contract persons employed under the Board of County Commissioners shall be paid in accordance with the rates of pay set forth in the Pay Plan for the position to which they are hired. No employee shall be paid at a salary rate greater than the maximum or less than the minimum established for the position. Positions that require exception to this policy must have funding available and be approved by the County Administrator. Departments are responsible for managing their authorized funding for compensation and may not seek Board action for shortfalls.

404.9 New Hires

All newly hired employees below pay grade 125 shall not be paid at a level that exceeds step one (1) of the pay grade established for the position. The Personnel Services Director must approve all salaries to ensure budgeted funding is available. Salaries at pay grades 125 and above may be approved by the County Administrator at any step as long as the budgeted funding is available and the request has been recommended by both the Personnel



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Services Director and the Office of Management and Budget. The County Administrator reserves the right to review and make exceptions as necessary.

404.10 Special Pay Adjustments

A Special Pay Adjustment may be utilized if there are available funds in the department budget to compensate employees when exceptional or unusual conditions exist within an employee's job classification. Special Pay is a temporary adjustment based on the employee's base hourly wage and may not exceed 10% of midpoint of the pay range (step 10). This type of pay is not made part of the base salary and may only be granted after the elimination of an FTE in the department making the request. At no time shall a Special Pay Adjustment be granted to an employee without a current FTE being eliminated. The savings from the elimination of the FTE must be greater than the Special Pay Adjustment made to the employee. The County Administrator must authorize the request for the Personnel Services Director to approve.

- Special Pay Adjustments shall not result in an employee receiving total compensation that exceeds the maximum salary established for the employee's current job classification.
- No employee shall be granted a Special Pay Adjustment more than once per fiscal year.
- Special Pay Adjustments may be retroactive to the effective date the employee met the qualifications for this type of pay but the retroactivity shall not exceed a maximum for forty-five (45) business days.
- Under no circumstance shall retroactive Special Pay Adjustment be granted from the previous fiscal year.
- Special Pay Adjustments may remain in effect until the exceptional or unusual circumstance that allowed for this type of pay no longer exists or when management deems appropriate.

The County Administrator reserves the right to review and make exceptions as necessary.

404.11 General Wage and Pay Plan Adjustments

The County Administrator may propose a general wage and/or pay plan adjustment as part of the budget approved by the Board of County Commissioners. Such adjustments (pay plan maintenance costs) will be consistent with the specific needs of the Plan at that time and proposed by the Personnel Services Director to the County Administrator. The County Administrator reserves the right to review and make exceptions as necessary.

404.12 Merit Pay

Merit pay may be distributed as determined by the County Administrator following approval by the Board of County Commissioners.

404.13 Acting Assignment Duties

An employee who is requested to perform work in a higher-level classification on an acting basis for less than three (3) weeks shall do so with no increase in base pay. Should the acting assignment duties be expected to exceed three (3) weeks, the employee may or may not be granted a temporary adjustment in pay. The nature and scope of the increased responsibilities, the allowable budget, and other factors relevant to the circumstance shall be considered when determining if a pay adjustment will be allowed.

Approved temporary pay adjustments are made by placing the employee in the higher level classification at the minimum pay step. The resulting base pay shall not be less than the pay rate the employee is assigned in their permanent position. In the event the resulting temporary increase to the minimum of the higher-level classification is less than the employee's current salary a temporary adjustment of up to 10% above their current base pay may be made. Employees shall be placed in the step that most closely matches the authorized percentage increase.



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Acting Assignment duty pay may be retroactive to the beginning of the acting assignment duty period (not to exceed 45 business days) and shall not exceed an assignment period of six (6) calendar months. In no event will the pay adjustment be retroactive into a previous fiscal year. Acting Assignment duty pay shall be added and removed via a Personnel Action Notice (PAN). The employee's base pay will return to the former base pay, adjusted by any Cost of Living Adjustment, merit increase or pay plan increase that may have occurred after the temporary adjustment became effective.

The County Administrator reserves the right to review and make exceptions as necessary.

404.14 Promotion

A promotion occurs as a result of a competitive process for a vacant posted position in a higher pay grade. Interviews are required and the review of personnel and training files shall be part of the process in selecting the best and most fully qualified employee for promotion. Upon promotion to a classification with a higher pay grade, the employee may receive a pay increase. If a pay increase is provided, the employee's current salary is multiplied by 5% and then inserted into the new pay grade at the next highest step, not to exceed the budgeted amount for the position unless otherwise approved by the County Administrator.

If the promotion results in a change in supervision, the losing supervisor will provide the employee - prior to the transfer date - a performance evaluation ending on the date of transfer. The County Administrator reserves the right to review and make exceptions as necessary.

404.15 Demotion

A demotion is the movement of an employee to a job classification with a lower pay grade. A demotion may be involuntary or voluntary. The employee must meet the minimum qualifications for the job to which they are being demoted. A position will not be created to accommodate a demotion.

Involuntary Demotion

An employee may be involuntarily demoted to a position with a lower pay grade for, but not limited to, any of the following reasons:

- The employee would otherwise be laid off because the position is being abolished.
- The position is being reclassified to a higher pay grade and the employee is not qualified to continue employment in the reclassified position.
- The employee is being disciplined for sub-standard work, workplace misbehavior, or other reasons.
- Lack of work.
- Lack of funds.
- The employee does not possess the necessary qualifications to render satisfactory service in the position.
- Reorganization.
- The employee has been promoted into a higher level position and is not successfully performing the duties of the new position.

Voluntary Demotion

A voluntary demotion occurs when the employee voluntarily requests a demotion or applies for a position at a lower pay grade resulting in a move to a lower level classification.

Salary Administration Guidelines for Demotions

The base pay of an employee demoted to a classification having a lower pay grade than the employee's present classification shall be based upon the following:



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- In all cases, the base pay will not be less than the minimum base pay nor exceed the maximum base pay of the pay grade of the lower level position.
- An employee who takes a voluntary demotion to a previously held position shall not receive the same base pay they had prior to the promotion/assignment.
- Employees who are demoted (voluntary or involuntary) shall have their present salary decreased by 10% or to the pay range minimum (step 1) of the new position, whichever is lesser. A larger decrease will be required when the 10% formula would result in a base pay that would exceed the maximum base pay of the new lower pay grade. Employees shall be placed in the step that most closely matches the authorized percentage decrease.
- An employee who applies and is selected for an open advertised position at a lower pay grade shall be paid in accordance with policy 404.9.

The Personnel Services Director may consider recommending waiving the pay reductions for demotions resulting from a reduction in force, shortage of work or funds, or reclassification. Consideration will be based on the reason for the demotion, Department Director input, the employee's length of service, the base pay of other employees in the same job classification and in the same department, and the relative position of the base pay in the pay grade. The Personnel Services Director will forward recommended waivers to the County Administrator for action.

Demotions will not change the employee's performance review date. If the demotion results in a change in supervision, the losing supervisor will provide the employee - prior to the transfer date - a performance evaluation ending on the date of transfer.

The County Administrator reserves the right to review and make exceptions as necessary.

404.16 Transfers

An employee may be transferred to another department with the same job classification or to a different job classification having the same pay grade as the employee's present classification. A transfer will not change the employee's base pay or pay grade and step.

Transfers will not change the employee's performance review date. If the transfer results in a change in supervision, the losing supervisor will provide the employee - prior to the transfer date - a performance evaluation ending on the date of transfer. The County Administrator reserves the right to review and make exceptions as necessary.

404.17 Reassignments

Employees may be reassigned (location, duties, hours of work) to meet the operational needs of the organization.

- The reassignment may be permanent or temporary depending upon the circumstances.
- Any impact on base pay will be determined in accordance with this policy.

Reassignments will not change the employee's performance review date. If the reassignment results in a change in supervision, the losing supervisor will provide the employee - prior to the reassignment date - a performance evaluation ending on the date of reassignment.

404.18 Reclassifications

Reclassifications may be submitted once a year as part of the budget process. Submissions shall be accepted for review if timely submitted and:



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- The position changed because of a mandate or regulatory change in Federal, State or local laws or policies.
- Additional tasks were added to the position because of a change in the level of service required by the department.
- Duties and responsibilities have been reassigned to this position from another existing position in the same department.

Requests shall be reviewed in accordance with the procedures outlined in the annual memorandum issued by the Personnel Services Department Director. Reclassification requests are subject to job description and compensation analysis, budget line capacity and the ability to meet the salary obligation into future years, committee review, and final approval by the County Administrator. Reclassifications may result in the following actions:

- The position remains at the same pay grade but the job description is updated.
- The position moves to a higher pay grade.
- The position moves to a lower pay grade.
- The position affects another position within the department that results in a lower pay grade for the affected position.

Higher Pay Grade Reclassification

An employee who is reclassified to a higher-level classification may receive a pay increase. If a pay increase is provided, the employee's current salary is multiplied by 5% and then inserted into the new pay grade at the next highest step, unless such increase would exceed the maximum salary of the pay range for the classification. Such an increase in pay shall not exceed the budgeted amount for the position unless otherwise approved by the County Administrator. Approved reclassification requests shall not receive retroactivity pay.

Lower Pay Grade Reclassification

Employees who are reclassified to a lower pay grade shall have their present salary decreased by 10% or to the pay range minimum (step 1) of the new position, whichever is lesser. A larger decrease will be required when the 10% formula would result in a base pay that would exceed the maximum base pay of the new lower pay grade. Employees shall be placed in the step that most closely matches the authorized percentage decrease.

The Personnel Services Director may consider recommending waiving the pay reductions for reclassification. Such recommendations must be approval by the County Administrator. Consideration will be based on the reason for the reclassification, the employee's length of service, the base pay of other employees in the same job classification and the same department, and the relative position of the base pay in the pay grade.

Reclassification will not change the employee's performance review date. If the reclassification results in a change in supervision, the losing supervisor will provide the employee - prior to the reclassification effective date - a performance evaluation ending on the date of reclassification. The County Administrator reserves the right to review and make exceptions as necessary.

404.19 Career Progression

Approved career progression plans identifying beginning, intermediate and advanced competency levels may offer pay increases for obtaining Federal, State or locally mandated licenses or certifications. Criteria shall be established and monitored by the departments and must be reviewed and approved by the Personnel Services Director prior to implementation.

- Departments are responsible for budgeting for such increases and may not seek to resolve funding shortfalls outside of the budget process.



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- Career progression increases are separate and distinct from the reclassification process and are subject to financial resources.
- If pay increases are approved, the promotion policy goes into effect for pay purposes. Career progression increases do not receive retroactivity pay.

The County Administrator reserves the right to review and make exceptions as necessary.

404.20 Overtime

Overtime payment is governed by provisions of the Federal Fair Labor Standards Act. St. Johns County employees may be called upon and required to work overtime if, in the opinion of the supervisor, it is necessary to meet the demands of the job being performed.

Except in emergency conditions, all overtime work must be approved, in advance, by the Department Director or designee. Overtime work may be requested for, but is not necessarily limited to, the following circumstances:

- An accumulation of work due to absenteeism.
- An increase in the normal workload for short and unexpected periods of time, such as the completion of a specific program or project.

Any nonproductive time off, such as a holiday, sick leave, jury duty, birthday day off, personal leave, administrative leave, vacation leave, funeral leave, or any other nonproductive time, paid or unpaid, shall not be counted as time worked in calculating overtime pay. Holidays are paid at the employee's hourly rate and shall not exceed eight (8) hours. When a holiday is worked (holidays are defined by the Board) all hours worked shall be paid at time and one half the hourly wage of the employee.

- All overtime pay is paid at time and one half the hourly wage of the employee.
- Double time wages are not authorized at any time.
- Employees who, without a legitimate excuse, refuse to work overtime will be subject to disciplinary action.

Overtime Pay Categories

An employee's eligibility for overtime pay is determined by the employee's job classification and its classification as either non-exempt or exempt in the current pay plan. Non-exempt employees are eligible for overtime pay at one and one half times the employee's hourly wage. Exempt employees may be paid overtime wages at the discretion of the County Administrator, normally only under emergency conditions.

404.21 Paycheck Deductions and Garnishments

The law requires that the County make certain deductions from paychecks, such as Federal taxes, Medicare, and Social Security. There may also be deductions for certain benefits that require employee contributions, such as insurance premiums, etc. As a general rule, no deductions other than those legally required may be made from paychecks without the employee's written authorization.

Paychecks may also be subject to a wage garnishment if ordered by a court of law. Garnishments consist of deducting a certain amount from the employee's paycheck in order to help pay a debt or obligation such as child support, back taxes or a court judgment. When properly notified by an employee or an appropriate court or government agency, the County will withhold the amount requested to be garnished according to applicable law. Improper deductions are prohibited.



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404.22 Paychecks for Separated Employees

Employees separating from County service will normally receive their final paycheck on the next regularly scheduled payday following the date of termination of employment unless otherwise specified. Any monies owed the County may be deducted from final payments in accordance with the Fair Labor Standards Act (FLSA). Whenever possible, final paychecks shall include pay for hours worked and any unused leave that may be due the employee as provided for elsewhere in these policies and procedures.

404.23 Return of County Property

All County property issued to the employee must be returned or accounted for to the satisfaction of the employee's Department Director or their designee. Failure to return County property may require repayment equal to the cost of the property, with deductions of any monies owed from final payments as listed in this section.

404.24 Errors

It is the responsibility of the employee to immediately notify either their supervisor or the Personnel Services Department if an error was made involving their paycheck. Corrections shall be made as determined by the Finance office.

404.25 Compensatory Time

St. Johns County does not allow compensatory time. All hours worked over forty (40) shall be paid to non-exempt employees at a rate of time and one half the employee's hourly wage in accordance with the Fair Labor Standards Act and St. Johns County policies.

404.26 On-Call Pay

Non-exempt employees placed on-call after normal duty hours will earn \$100.00 per week (Sunday – Saturday). In addition to on-call pay employees in an on-call status are paid for the actual time worked at their hourly wage if they are called back to the office or to visit a field location with a minimum of two hours of pay. Only actual hours worked, over forty (40) hours, may be counted in the calculation of overtime.

Exempt employees are not eligible to receive on-call pay.

Employees who are in an on-call status are required to have a County issued communication device. At any time the employee leaves home, the employee must have such communication device on their person and be ready to immediately and safely report to the required work location. The County reserves the right to assign employees to on-call status if there are not sufficient qualified volunteers and, may assign qualified employees to on-call status on a rotating basis.

Departments shall establish rest policies to ensure employees are afforded proper time off and are working under safe and healthy conditions.

404.27 Performance Awards

A Performance Award may be a monetary or non-monetary recognition earned by an employee who has shown exceptional measurable performance over an extended period of time.

All employees are eligible to receive a Performance Award provided they meet the criteria identified in this policy and that of Section 215.425 of the Florida Statutes. Groups are not eligible for a Performance Award.



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Employees nominated for a Performance Award must have an overall performance evaluation rating on the most recent annual evaluation of at least “Very Effective” (VE) and have exceptional performance beyond the established duties and responsibilities of their regular scope of work. Criteria used to support the nomination may include, but is not limited to:

- Exceptional organizational contributions.
- Project completion.
- Development of a new or modified business practice.
- Modeled outstanding service to the public.
- Exemplary productivity/performance.
- Safety/Heroism.
- Instituted creative/innovative efficiencies reducing spending.

Individual Departments are responsible for paying awards from their budgets. Performance Awards are lump sum payments which may not exceed the limitation defined in Section 215.425 of the Florida Statutes.

- Employees may receive only one Performance Award per fiscal year.
- Performance Awards are lump sum payments which may not exceed \$1,000.00.
- The award amount shall be the gross amount of the recommended award.

Time off awards may be recommended but shall not exceed three (3) days and must be taken consecutively. Time off awards may not be authorized when a monetary award is recommended and approved.

- Employees must meet the eligibility requirements of this policy.
- Employees may receive only one Performance Award per fiscal year.

A Performance Award shall become effective upon the County Administrator’s signature approval on the Performance Award Nomination form.

404.28 Emergency Disaster Pay Plan

Employees are responsible for assisting the County in protecting the public's health and safety during emergencies. As such, all employees are expected to participate as assigned during the emergency period and accept duty assignments, including safety sensitive assignments, in order to prepare and/or respond to the emergency situation. The general nature of these responsibilities will be based on the emergency roles or temporary emergency assignments assigned to County departments and divisions in the St. Johns County Emergency Management Plan or by the County Administrator as needed. Assignments are likely to vary during the emergency, and employees could be asked to work in areas or positions other than those to which they are normally assigned.

Assistant County Administrators, Department Directors or Division Managers shall ensure the availability of employees to protect, secure and recover County property, equipment and services from the effects of a disaster and make ready all available resources to respond to the event as requested by an Incident Commander or the County Emergency Operations Center.

County employees who are not assigned either an emergency support function responsibility or are not needed to close down a County office or facility within their division will be identified by their department as available for an emergency duty assignment. That reassignment may include assisting other departments and/or the Emergency Operations Center in carrying out emergency assignments or missions.



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The County Administrator or designee has the discretion to provide emergency duty assignments to staff. Employees are required to report as assigned during a declared emergency.

- Excused absences from designated emergency duty assignments must be approved in writing by the Department Director and County Administrator or designee. During such absence, the employee shall use accrued vacation leave or be placed on leave without pay status.
- Employees who are excused from disaster duty will be eligible for compensation as outlined further in this policy.
- Employees who are designated to work an emergency duty assignment but do not report for such assigned duties during a declared emergency may be subject to disciplinary action, up to and including termination of employment.

If the County is closed during a declared emergency, employees who have not been given emergency duty assignments or are excused from disaster duty are subject to recall in support of the emergency. During the period when St. Johns County remains closed for normal business operations, these employees must call in or report to work to the designated department representative in accordance with departmental plans no later than four (4) hours after the occurrence of the incident/emergency unless otherwise directed. If not assigned at that time, the employee must continue to call in each twenty-four (24) hour period to see if their services are required. Employees must provide a telephone number(s) where they can be reached each twenty-four (24) hour period during the declared emergency. Failure to comply with this requirement may subject the employee to disciplinary action, up to and including termination of employment.

Provisions will be made to give employees sufficient time to prepare their families and protect personal property from disasters. Directors and Supervisors will coordinate work schedules to make reasonable accommodations for family protection.

Assistant County Administrators/Department Directors shall submit an internal disaster response plan that complements the County's Emergency Management Plan to the Emergency Management Department as directed by Emergency Management. These plans will include provisions for employee communications and other matter addressed in the Plan.

Emergency/Disaster Pay Provisions

- Emergency/disaster pay provisions will be in effect when any natural, technological or other emergency or disaster requires a state of local emergency declaration by the Board of County Commissioners or Level 2 activation as determined by the Board of County Commissioners, the County Administrator, Assistant County Administrators or Emergency Management Services Director.
- Level 2 activation may be declared when any natural, technological or other emergency or disaster requires a state of local emergency declaration by the Board of County Commissioners, the County Administrator, Assistant County Administrators or Emergency Management Services Director.

Examples of Level 2 activation include:

- Emergency Management personnel have activated Emergency Operations Center (EOC) or mobile command outside the regularly scheduled workday.
- Emergency Support Function (ESF personnel) in addition to Emergency Management personnel are working in the EOC or mobile command center.
- County information hotline has been activated.
- A request by the State Director of Emergency Management and or the Governor to provide support to the State or surrounding counties.

General Pay Provisions



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These provisions apply to all employees regardless of their exempt or non-exempt status with exception of the County Administrator, County Attorney, and bargaining-unit Fire and EMS personnel or as otherwise stipulated. Overtime rules apply according to the Fair Labor Standards Act (FLSA). Shift differential may apply if the policy guidelines are met. It is each Assistant County Administrator's responsibility through each Department Director to verify any emergency hours worked and approve all payment.

- If County offices are open for normal operations, all employees reassigned to assist in emergency preparedness/response during regular work schedules will be paid at their regular hourly rate. All regular full time and part time employees will receive pay at the rate of time and one-half for each hour worked outside their normal work schedule in direct response to or preparation for a declared emergency regardless whether they have worked forty (40) regular hours during that week.
- If County offices are closed for normal operations, all employees not assigned emergency duties will be compensated for all hours regularly scheduled on the day(s) the County is closed at their straight time hourly rate of pay, including shift differentials, if applicable. Employees must call in/report to work in accordance with this policy to qualify for pay.
- If County offices are closed for normal operations, all regular full time and part time employees assigned to work emergency duty assignments in direct response to, or preparation for, a declared emergency may be paid for any hours worked at the rate of time and one-half if authorized by the County Administrator. Any scheduled hours an employee does not work will be paid at their regular straight time rate of pay including shift differentials, if applicable.

Other Pay Provisions

- When County operations are closed during a scheduled workday, employees who report to work and are subsequently released by the County Administrator or designee will receive pay for the entire scheduled workday at their regular rate of pay.
- Employees who have submitted and have approved leave slips to take time off (not related to the emergency) prior to the declaration of emergency and are using paid vacation or sick leave will not receive any additional paid time off and will be paid according to their original leave request. Should it be necessary for an employee to cancel this leave in order to respond, the employee will be compensated based on the criteria outlined above.
- In the event that County Offices are closed for normal operations, employees who have requested and received approval to take time off to evacuate and/or prepare for a disaster will not be charged hours against their vacation leave account. In this case, the employee will be compensated for all hours regularly scheduled to work on the day(s) the County is closed, including shift differentials if applicable.
- During the period following a declared emergency, emergency pay provisions will apply until clean up or recovery is completed as determined by the County Administrator. All full time and part time employees will be paid at the rate of time and one-half for each hour worked over forty (40) hours during that week.

404.29 Job Status

The purpose of this policy is to provide for the implementation of a job status procedure authorized by the County Administrator.

It is the practice of the County to utilize its human resources in a manner that best meets the service demands of the County through the effective hiring of regular full time, regular part time, temporary full time, temporary part time, and contract employees.

All new employees, employees who have been re-employed after separation, or who have transferred to a different position, shall complete a six (6) month probationary period. This provides the Department an



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opportunity to make an appraisal of the employee's abilities and overall performance. A probationary status employee must satisfactorily complete the six (6) month period by achieving an overall "Effective" rating on their performance evaluation to be eligible for regular status. Employees who are terminated during the introductory period do not have the right of appeal or a right to grieve under the provisions of a collective bargaining agreement. Vacation and sick leave accrue during this period but may not be taken while in such a status. As an exception, employees who have transferred from one St. Johns County (Board) position to another shall be entitled to use their accrued sick and vacation. Probationary status may only be extended or reduced with the approval of the Personnel Services Director.

Regular Full Time

Such positions require the employee to work an average of forty (40) or more hours per week on a regularly scheduled basis. Health benefits begin the first of the month following three (3) full months of employment. The remainder of employee benefits shall begin upon the successful completion of the initial probationary period when the employee is considered a "regular" full time employee.

At any time, regular full time employees may be subject to a mandated unpaid furlough, which is an involuntary reduced work time program for non-bargaining unit employees. The furlough program may be implemented for both salaried (exempt) and hourly (non-exempt) employees. Under this program, and as directed by management, regular full time employees will be required to take unpaid time off during one or more pay periods and may not substitute paid leave time for furlough days. Accruals for sick and vacation leave for an employee in furlough status may be prorated based on the number of hours worked.

Regular Part Time

Such positions require the employee to work at least twenty (20) hours but less than forty (40) hours per week on a regularly scheduled basis. Upon completion of the initial probationary period the part time employee is considered a "regular" part time employee. Regular part time employees who are regularly scheduled for at least thirty (30) hours but less than forty (40) hours per week on a regular basis shall receive paid holidays and enjoy sick leave, vacation leave or other types of leave on a pro rata basis and shall be eligible for insurance coverage as provided to regular full time employees. Regular part time employees who are regularly scheduled for twenty (20) to twenty-nine (29) hours per week on a regular basis shall receive sick leave, vacation leave or other types of leave on a pro rata basis but are not eligible for group health insurance and the voluntary life policies.

At any time, regular part time employees may be subject to a mandated unpaid furlough, which is an involuntary reduced work time program for non-bargaining unit employees. The furlough program may be implemented for both salaried (exempt) and hourly (non-exempt) employees. Under this program, and as directed by management, regular part time employees will be required to take unpaid time off during one or more pay periods and may not substitute paid leave time for furlough days. Accruals for sick and vacation leave for an employee in furlough status may be prorated based on the number of hours worked.

Temporary Full Time

Such positions require the employee to work on a full time basis (40 hours per week) for a special project, to replace an employee on leave of absence or any other work of a temporary nature. Temporary employees receive no benefits except Workers' Compensation. Generally, temporary employees are those employed for a specific period of time not to exceed six (6) continuous months of employment. Temporary full time employees may qualify for membership in the Florida Retirement System (FRS), dependent on the position to which they are assigned and length of time employed. Rules governing FRS benefits for temporary employees are found under the Florida Administrative Code and Florida Statutes.



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Temporary Part Time

Such positions require the employee to work less than forty (40) hours per week for a temporary period as defined above. Employees in this category receive no benefits except Workers' Compensation. Generally, temporary employees are those employed for a specific period of time not to exceed six (6) continuous months of employment. Temporary part time employees may qualify for membership in the Florida Retirement System (FRS), dependent on the position to which they are assigned and length of time employed. Rules governing FRS benefits for temporary employees are found under the Florida Administrative Code and Florida Statutes.

Contract

The positions of County Administrator and County Attorney shall be governed by their individual employment contracts. If at any time the County Commission amends the Personnel Section of the Administrative Code to provide additional benefits for any classification of employees that are greater than those provided in the contract of the employees, the benefits for the County Administrator and County Attorney shall be amended accordingly.

404.30 Time Sheets

A record shall be kept of all hours worked by employees for each pay period. Time sheets must record all leave time an employee has used in each pay period. Each pay period extends from Sunday of one week through Saturday of the following week, covering a two (2) week period. Time sheets must be signed by the employee and verified by the supervisor prior to delivery to the Finance office for processing. Falsification of a time record is a breach of County policy and grounds for disciplinary action including termination of employment. Time sheets are submitted every other Monday in order to receive payment on Friday of the same week. Time sheets and associated leave documents shall be kept by each Department for a period of three (3) years for audit purposes.

404.31 Direct Deposit

All employees hired after January 1, 2007 are required to directly deposit their paycheck into the financial institution of their choice. Direct deposit provides a fast, reliable, and safe means of paycheck delivery.

404.32 Meal and Rest Periods

Meal periods may be authorized once per work shift in thirty (30) minute increments not to exceed sixty (60) minutes unless otherwise pre-approved by management. Supervisors are encouraged to provide meal periods for employees but are not mandated to do so. Meal periods are not compensable.

Rest periods may be authorized by the supervisor and may not exceed fifteen (15) minutes. If rest periods are provided they may only be taken twice per work shift; once in the early part of the shift and once in the later part of the shift. Rest periods may not be combined with other time off nor may they be saved for later use. Employees granted rest periods may not leave the work premise (campus) as this time is compensable.

404.33 Charitable Contributions

Giving to charity is a way to help others and can provide a positive tax planning strategy. Some organizations are not qualified to receive deductible contributions so it is imperative that employees desiring to donate to charity research the organizations they are interested in supporting and consult with their tax advisor regarding any planned giving.

St. Johns County offers the convenience of payroll deduction for those employees wishing to donate to the United Way of St. Johns County. Employees may designate the local organization within United Way or choose to support the United Way in general. In keeping with the United Way of St. Johns County policies, all funds remain in St. Johns County.



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Employees may choose to either give through ongoing payroll deductions every pay check or, may once a year, donate up to eight (8) hours of their accrued vacation leave. This vacation donation is taxed under the applicable IRS guidelines and the balance is sent to the United Way via a one time payroll deduction.

Information on the United Way is available by contacting the United Way directly; payroll and leave deduction forms are located on the Intranet. Employees are encouraged to support their community and to give to the organizations of their choice at any time. The options for charitable giving provided under this policy are subject to review and cancellation at any time by the County.



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Title: 405 Benefits	Issued: Apr 1992
Reference: Florida Statute, Section 215.425 County Ordinance No. 1993-2	Revised: June 2012

405.1 Workers' Compensation

The County provides Workers' Compensation insurance benefits to all employees and volunteers who are injured in the course and scope of their work for the Board of County Commissioners, Supervisor of Elections, Tax Collector, Property Appraiser, and Clerk of Courts. Employees and volunteers shall immediately report any injury arising out of the course of employment so that the Workers' Compensation provisions of Florida law can be triggered.

The initial seven (7) calendar days, following the date of injury, shall not be chargeable to the employee's accumulated sick leave. If unable to return to work at the end of the seven (7) day period, the employee will receive the amount entitled under the Workers' Compensation law. The difference between said amount and the amount of salary the employee was receiving immediately prior to the date of injury may be supplemented using accumulated sick leave first, and any vacation second. Any wage benefits received by the employee from the Workers' Compensation carrier shall be returned to the County.

405.2 Health and Dental Insurance

All regular full time employees who are employed to work over thirty (30) hours per week are covered by the County's group health benefits program. Employees desiring to cover their dependents under the plan are responsible for paying the dependent premium costs through payroll deduction.

The County reserves the right to amend or terminate any of these programs, to increase employee contributions toward any benefits with or without advanced notice. This reserved right may be exercised in the absence of financial necessity. Whenever an amendment is made to any of the County's benefits, plan participants will be notified.

Coverage begins at the beginning of the month following three months employment and coverage terminates at the end of the month following termination of employment. Health insurance benefits may be extended to spouses and dependants of the employee. This deduction is made on a pre-tax basis through payroll deduction. Benefit election may only be made once during the Plan year. Participants may not increase, decrease or eliminate any premium payments included under the Plan until the following Plan year unless the insurance providers change the coverage, or if there is a change in the participant's family status resulting from marriage, divorce, death of a spouse or child, birth or adoption, or a termination of employment or significant change of spouse's employment status.

At the end of each Plan year, the participant may change benefit elections for the subsequent Plan year. If a new election is not made, the employee's current year benefits will remain in effect for the following year.

Continuation of Benefits

Employees who separate from the County or who have their work hours reduced making the employee or their dependents ineligible to participate in the group health insurance plan, may have the right to continue to participate in the Plan for up to eighteen (18) months at the employee's expense.



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Eligible dependents may also extend coverage, at their expense, for up to thirty-six (36) months in the group health insurance plan in the event of the employee's death, divorce, legal separation, or entitlement to Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the Plan.

Former employees and their eligible dependents that have elected to continue benefit coverage will be charged the applicable premium. The premium is subject to change as allowed by law. Continuation coverage may end if any of the following events occur:

- Failure to make timely payments of all premiums.
- Assumption of coverage under another group's plan or entitlement to Medicare.
- Termination of the County's group health plans.

It is the employee's responsibility to immediately report events that effect health benefits such as:

- Divorce or legal separation.
- Dependents who cease to be eligible for coverage under the Plan or cease to be dependents.

Details regarding group health insurance benefits are available by contacting the Personnel Services Department.

405.3 Life Insurance

Regular status employees who work over thirty (30) hours per week are eligible to participate in the life insurance program. Coverage for this benefit is effective at the same time the employee's health insurance begins.

405.4 Employee Assistance Program

The Employee Assistance Program (EAP) is a short term confidential professional counseling service available to County employees and eligible members of their immediate family. Employees and their dependents are entitled to free visits (in accordance with the contract) with extended services for a fee. Self-referred employees and/or their family members seeking assistance from the provider shall do so with complete anonymity. Employees who seek consultation will not have their position jeopardized solely because of a referral for diagnosis, counseling and/or treatment. All records pertaining to the employee will be maintained by the provider and treated with the degree of confidentiality accorded to medical records. EAP records will not be disclosed to anyone other than the employee or family member, except under a court order compelling disclosure.

Mandatory referral to the EAP may only be authorized by the Personnel Services Director or designee. For more information regarding this program please contact the Personnel Services Department.

405.5 Deferred Compensation

St. Johns County offers retirement savings plans under Internal Revenue Code Section 457, which allows employees to contribute a portion of their salary on a pre-tax basis. For more information contact the Personnel Services Department.

405.6 Retirement Plan

St. Johns County participates in the Florida Retirement System (FRS) to assist employees in post-employment years. Employees qualify for retirement benefits as defined by the Florida Statute and benefits are described in the retirement guide issued by the FRS. The FRS offers two (2) plans: A pension plan and an investment plan. Plan selection is the employee's responsibility and should be well researched prior to selecting. Questions regarding the retirement plan may be directed to the Personnel Services Department or the FRS.



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Employees who elect to retire but who do not apply for and receive FRS retirement pay at the time of separation are not eligible to continue their health insurance coverage.

County employees qualify for retirement benefits as defined in the Florida Statutes. Benefits are described in the Retirement Guide issued by the Florida Retirement System (FRS). A copy of the guide can be obtained in the Personnel Services office or online at www.myfrs.com.

Employees who have St. Johns County health insurance coverage at the time they apply for retirement benefit from FRS will be eligible to continue health insurance coverage when:

Regular Class member

FRS enrollment date **prior** to 07/01/2011:

- Completes 6 or more years of creditable service and are age 62; or
- Completes 30 years of creditable service, regardless of age, which may include a maximum of 4 years military service credit.

FRS enrollment date **on or after** 07/01/2011:

- Completes 8 or more years of creditable service and are age 65; or
- Completes 33 years of creditable service, regardless of age, which may include a maximum of 4 years military service credit.

Special Risk Class member

FRS enrollment date **prior** to 07/01/2011:

- Completes 6 years or more of creditable service in the Special Risk Class and attains age 55; or
- Completes 25 years of creditable service in the Special Risk Class, regardless of age; or
- Completes 25 years of creditable service and attains age 52, which may include a maximum of 4 years military service credit.

FRS enrollment date **on or after** 07/01/2011:

- Completes 8 years or more of creditable service in the Special Risk Class and attains age 60; or
- Completes 30 years of creditable service in the Special Risk Class, regardless of age; or
- Completes 25 years of creditable service and attains age 57, which may include a maximum of 4 years military service credit.

Senior Management Service Class

FRS enrollment date **prior** to 07/01/2011:

- Completes 6 years of creditable service and attains age 62; or
- Completes 30 years of any creditable service, regardless of age, which may include a maximum of 4 years military service credit.

FRS enrollment date **on or after** 07/01/2011:

- Completes 8 or more years of creditable service and are age 65; or
- Completes 33 years of creditable service, regardless of age, which may include a maximum of 4 years military service credit.

Elected Officers' Class

FRS enrollment date **prior** to 07/01/2011:



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- Completes 6 years of creditable service in the Elected Officers' Class and attains age 62; or
- Completes 30 years of any creditable service, regardless of age, which may include 4 years of military service.

FRS enrollment date **on or after** 07/01/2011:

- Completes 8 or more years of creditable service and are age 65; or
- Completes 33 years of creditable service, regardless of age, which may include a maximum of 4 years military service credit.

Early Retirement under the FRS Pension Plan

FRS enrollment date **prior** to 07/01/2011:

- Completes 6 years or more of FRS creditable service in any class and elects to receive retirement benefits at a reduced rate based on the members early retirement date.

FRS enrollment date **on or after** 07/01/2011:

- Completes 8 years or more of FRS creditable service in any class and elects to receive retirement benefits at a reduced rate based on the members early retirement date.

Early Retirement under the FRS Investment Plan

Must complete 6 years or more of FRS creditable service and attain age 59 ½.

All Classes

Employees who elect to retire and do not apply for and receive FRS retirement benefits are not eligible to continue health insurance coverage. Employees will be required to submit proof that they are receiving a benefit at the time of retirement. Employees who have health insurance coverage at the time of retirement may be eligible for the monthly Health Insurance Subsidy benefit from the Florida Retirement System. Employees who decline to continue health insurance coverage on their retirement effective date will not be eligible for retiree health insurance coverage at a later date. Employees, or their covered spouse, who are Medicare eligible or become Medicare eligible must enroll in Medicare Parts A & B to continue coverage under the retiree health insurance plan. Covered spouses will be eligible to remain on the plan after the employee dies at the employee rate depending on age and Medicare eligibility. When an active employee retires but has an eligible active spouse with benefits, the retiring employee may be added on the active spouse's coverage. The employee who retired may elect to take the retiree coverage, at the time of a life event (death, divorce, etc.).



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Title: 406 Training and Continuing Education	Issued: Apr 1992
Reference:	Revised: Aug 2007

406.1 Purpose

Employee development is essential in attracting and retaining a knowledgeable and skilled workforce and supports the overall quality of services rendered to the public. Continuous investment in training and education is essential for improving the performance of the St. Johns County workforce and enhancing the services provided by the County Government.

406.2 Scope

It is the responsibility of the Personnel Services Department to foster and promote opportunities for training and education to all County employees. The Personnel Services Department shall manage all aspects of the program and ensure training is conducted in accordance with the goals set forth by the organization. The Personnel Services Department shall support the achievement of the organizational goals by providing assistance to Department Directors in developing and conducting training to meet the specific needs of their departments. All on-the-job training shall be conducted during normal business hours and department supervisors shall be responsible for the conduct and documentation of training. Newly hired employees shall participate in the established orientation training program and other continuing education and training opportunities when such instruction is considered necessary for satisfactory job performance. Leadership development programs shall be an inherent element of supervisory and management development for both new and present managers. Compliance training shall be conducted at regular intervals and in accordance with regulations governing such training.

Requests for training shall be reviewed and approved by the employee's immediate supervisor.

406.3 Budget/Funding

Training and continuing education funds managed by the Personnel Services Department shall be expended for training which affects the majority of the organization and provides the greatest return on investment. Department specific training (technical) shall be budgeted for and funded by individual departments each fiscal year.

Training Funds Charge Back

The Personnel Services Department provides a broad range of training without charge to individual departments. The Personnel Services Department negotiates a "best price" with vendors and accepts participant enrollments sufficient to ensure a full class and to maximize the training dollars invested. Employees will occasionally have scheduling conflicts which require them to forego training. Failure to notify the Personnel Services Department of their inability to attend the courses for which they are registered causes training seats to go unfilled. Many of these courses have a waiting list of prospective participants; thus, notification to the Personnel Services Department, by employees who cannot attend, would enable other interested employees to receive the training. In an effort to minimize lost training dollars because of "no shows" it is necessary to charge back Departments for vacant training seats.

The Personnel Services Department will charge back Departments for the cost of training for employees who do not notify the Personnel Services Department, in writing, of their inability to attend the courses for which they have registered. The amount of the charge back to the Department will be the estimated cost of the empty seat



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for that training course. Departments may avoid this charge by ensuring that written cancellation is received by the Personnel Services Department at least one (1) full business day prior to the start of the class or by substituting the employee with another to fill the reserved seat. Any funds transferred to the Personnel Services Department for "no show" employees will be used to meet additional County training needs.

406.4 Tuition Reimbursement

Tuition reimbursement may be provided, based on availability of funds, to all County employees who complete educational course work from accredited institutions. Such educational courses must apply to the employee's field of work or directly contribute to the individual's professional development plan. Reimbursement for tuition shall not exceed \$1000 per employee per fiscal year.

Eligibility

Participation in the tuition reimbursement program is available to all County employees provided they meet or exceed the one (1) year requirement as having served as a full time employee.

Application

To participate in the program, and prior to course registration, employees shall complete and submit the "Continuing Education Assistance Application and Agreement" form to their immediate supervisor. The supervisor shall review the application with the Department Director and forward the application to Personnel Services with signature approval. Prior to course registration, the Personnel Services Department shall review the employee's application and provide a written response to the applicant indicating approval or disapproval.

Reimbursement

Upon the successful completion of the approved course(s), with a G.P.A. of 2.0 (C grade) or better, the employee must submit to the Personnel Services Department, certification of successful course completion and the receipt for tuition paid to the accredited institution. Requests for reimbursement should be made no later than thirty (30) calendar days after completion of the course(s) and no later than September 15th of each year. Reimbursement for tuition shall only be made to employees who are on the active payroll at the time of the reimbursement request, and who have prior written approval for such benefit from the Personnel Services Department. Tuition assistance shall not be paid by the County if the same or similar benefit is provided by the Veteran's Administration or other similar financial resource.

Separation from the County

If an employee voluntarily resigns employment or is terminated for misconduct prior to three (3) years after receiving tuition reimbursement, the employee shall refund the County a prorated portion of the reimbursed funds. The refund shall be prorated using a formula of 1/3rd for each full year worked after completion of the course(s). The refund will be due at the time of separation. Any refunds due the County and not paid at the time of separation, shall be deducted from the employee's final pay. In the event there is a balance due after this deduction, the employee will have thirty (30) calendar days to make payment in full to the Personnel Services Department to avoid legal action of recovery.



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Title: 407 Risk Management and Safety	Issued: Jan 2006
Reference: SafetyNet Website Accident Reporting and Workers' Compensations Procedures	Revised: Sep 2010 June 2012

407.1 Purpose

The Safety and Risk Management policy is designed to promote a safe and healthy work environment; equal emphasis is placed on the safety of contractors and visitors to St. Johns County facilities.

407.2 Scope

All officials, employees and departments under the direction of the Board of County Commissioners, Clerk of Court, Property Appraiser, Tax Collector and Supervisor of Elections under the County's Workers' Compensation and liability insurance policies.

407.3 Policy

The County's goal is to provide a workplace that is healthy and safe. The loss that accompanies injuries and accidents can be avoided by diligent safety efforts and good supervision. Safety is part of everyone's job. There is a direct relationship between the personal and monetary cost of accidents and the County's ability to provide reliable, cost-effective services.

407.4 Safety Manual

The County's safety policies, practices and procedures for specific types of work and job classifications are available on the "SafetyNet" website on the Intranet.

407.5 Reporting Accidents or Incidents

Employees who are involved in a work related accident, damaged County property, or who experienced an on-the-job injury or illness must complete the St. Johns County Accident/Incident Report within twenty four (24) hours. The report must be delivered to Risk Management with the supervisors report and other documentation attached (doctor notes, photos, police reports, citizen, witness written statements, etc.). Incomplete forms are accepted in order to meet the twenty four (24) hour deadline, however complete forms must be submitted as soon as possible. All employees who are involved in a work related accident, damaged County property, or who experienced an on-the-job injury or illness shall be drug tested. The St. Johns County Accident/Incident Report and instructions can be found on the County Intranet in the "SafetyNet" webpage.

Injuries must be reported to the supervisor immediately. Employees must receive authorization from Risk Management prior to seeing a Workers' Compensation doctor for "non-emergency" injuries that require medical treatment. Employees should not seek treatment from their personal physician for a work related injury. After being treated by a Workers' Compensation doctor, the employee must bring the DWC-25 paperwork completed by the doctor to their supervisor immediately, regardless of whether they are returning to work that day or not. Employees who are treated at a hospital emergency room for a work related injury will be required to see a Workers' Compensation doctor to determine work status and receive follow-up treatment.

407.6 Post Accident Drug Screening

Post accident drug screening procedures are outlined in the St. Johns County Accident Reporting and Workers' Compensation Procedures located on the Intranet in the "SafetyNet" website.



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407.7 Vehicle Accidents

Employees involved in traffic accidents must have a police report completed at the scene. Police reports must be submitted with the Accident/Incident Report and delivered to Risk Management within twenty four (24) hours regardless of completeness. Employees involved in an at-fault traffic accident should not be permitted to drive a vehicle for County business while awaiting drug test results.

407.8 Returning to Work

Employees may return to work after being cleared by the Workers' Compensation doctor. If initial medical treatment was sought in a hospital emergency room the employee will be required to see an authorized Workers' Compensation doctor prior to returning to work. Employees who have light-duty restrictions must communicate the restrictions to the supervisor and adhere to all restrictions. The County will accommodate any reasonable light duty restriction even if the employee must be temporarily reassigned to another job or department. Communication between the supervisor and Risk Management regarding the employee's health, attendance, and activities is imperative in successfully managing a Workers' Compensation claim.



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Title: 408 Leave	Issued: Apr 1992
Reference: County Resolution 81-8230 FMLA USERRA	Revised: Aug 2007 June 2012

408.1 Family and Medical Leave

As a Family Medical Leave Act (FMLA) covered employer, the County has provided to all employees the [U.S. Department of Labor’s Notice to Employees of Rights Under the FMLA](#) – Employee Rights and Responsibilities Under the Family and Medical Leave Act. Employees should review this notice (select link) prior to reading this policy to understand their rights and responsibilities under the FMLA. This policy is intended to supplement the information in the Notice with the County’s policies and procedures regarding an employee’s FMLA leave.

Eligibility

Employees are eligible if they have worked for the County for at least one (1) continuous year and for 1,250 hours over the previous twelve (12) months.

Measuring the 12-Month Period

Employees are entitled to a maximum combined total of twelve (12) weeks of leave in a twelve (12) month period for a serious health condition of the employee or family member, a qualifying exigency, pregnancy, and/or leave for the birth of a child, or the placement of an adopted or foster care child (please see Notice for details). The County will determine the amount of leave an employee has available for those reasons using a rolling twelve (12) month period measured backward from the date an employee uses any FMLA leave.

Military Caregiver Leave 12-Month Period

The FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member or covered non-active veteran during a single twelve (12) month period. The single twelve (12) month period for the military caregiver leave begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends twelve (12) months after that date. Military caregiver leave does not run concurrently with other forms of FMLA leave.

Requesting Leave and Extensions of Leave

Employees, who need a leave of absence, or an extension of leave, must contact the Personnel Services Department. Employees are required to give the County, through the Personnel Services Department, thirty (30) days notice or as much notice as practicable. All leave covered by Workers’ Compensation and/or a disability plan will also be counted as FMLA leave to the extent the leave qualifies under this policy and as permitted by law.

Certification Requirements

The County may require an employee to submit a medical certification from a health care provider, as well as second and third opinion, recertification, and fitness for duty certifications, as permitted by law.

Complying with the County’s Policies and Procedures

Eligible employees who take FMLA leave are required to comply with the County’s time and attendance policies. Employees must follow the County’s policies and procedures for requesting leave and reporting absences and tardiness. Employees who do not comply with these policies, or who fail to cooperate with the



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County in administering this policy (including providing requested documents) may be subject to disciplinary action up to and including termination. Failure to comply with these procedures also may result in a delay or denial of FMLA leave.

Leave Increments for Child Birth, Adoption or Foster Care Placement

Leaves to care for the employee's child after birth or the placement of a child for adoption or foster care must be taken in a single block of time and cannot be taken on an intermittent or reduced schedule basis without the approval of the Department Director and in conjunction with the Personnel Services Department. This leave must be completed within twelve (12) months following the birth or placement of the child. However, an employee may use this leave before the placement of an adopted or foster child to consult with attorneys, appear in court, attend counseling sessions, etc. When both parents work for the County, the maximum combined amount of leave for the birth or placement of a child for adoption or foster care is twelve (12) weeks in the twelve (12) month period.

Leave taken by an employee to obtain prenatal care will be treated as leave for a serious health condition.

Scheduling of Intermittent or Reduced Scheduled Leave

For intermittent leave or leave on a reduced leave schedule taken because of a serious health condition or to care for a covered service member with a serious injury or illness, there must be a medical need for the leave that is best accommodated through an intermittent or reduced leave schedule. Leave due to a qualifying exigency may be taken on an intermittent or reduced leave schedule.

If an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt operations. Employees requesting leave on an intermittent or reduced schedule basis that is foreseeable based on planned medical treatment may be temporarily transferred to another job with equivalent pay and benefits that better accommodates recurring periods of leave, with the approval of the Department Director and in conjunction with the Personnel Services Department.

Medical Insurance Coverage

During FMLA leave, the County will continue to pay its portion of the premium for insurances in force in accordance with other County policies. The employee must continue to pay their portion of the premiums. Failure to do so may result in termination of coverage. An employee will be advised in advance of any changes in premiums so that they will have ample opportunity to make arrangements to continue to pay his or her share of the premiums during the FMLA leave.

If an employee does not return to work after the expiration of the leave, the employee will be required to reimburse the County for the County's portion of health insurance premiums as permitted by law, unless the employee does not return due to a serious health condition which prevents the employee from performing the job or because of circumstances beyond the control of the employee. To avoid required reimbursement, appropriate certification from a health care provider may be required if the employee does not return to work because of a serious health condition. In order to be considered as having "returned to work," the employee must return to the workplace for at least thirty (30) calendar days.

Substitution of Accrued Paid Leave

Generally, FMLA leave is unpaid. However, employees may receive pay pursuant to the County's paid leave policies (sick leave, vacation leave, etc.), at their discretion, as long as the employee has accrued unused paid leave and satisfies any procedural requirements of such paid leave policy. For example, an employee may only



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receive vacation pay while on FMLA leave if they obtain authorization to take vacation leave under the County's vacation policy.

In such cases where FMLA is running concurrent with an employee on Workers' Compensation leave and the employee is receiving pay but not their full pay, accrued paid leave may be used to supplement the employee's pay to bring the employee up to full salary, to the extent that both the County and the employee agree.

While the employee is out on FMLA leave the employee will continue accruing paid leave as long as the employee is using paid leave. If an employee uses all paid leave and remains unable to return to work, the remainder of the FMLA leave will be unpaid. During the period of unpaid leave, the employee will not continue to accrue paid leave.

Substitution of Donated Leave

A donation of vacation leave by another employee is permitted for an employee on FMLA leave in accordance with section 408.12, but may only be approved once the employee on FMLA has exhausted all of their available accrued leave. Employees who donate vacation leave to a qualified employee are required to complete a donor form under the Compassionate Leave policy, and submit it to the Personnel Services Department for approval. These forms are available on the Intranet. Employees receiving donated vacation leave are considered, for the purposes of this policy, to be in a non-pay status and therefore will not accrue vacation leave, sick leave, seniority pay, etc.

Return to Work

Employees returning from leave for their own serious health condition must provide certification from their health care provider that they are able to resume work and perform the essential duties of their regular job. Failure to do so may delay or result in denial of reinstatement.

Except for "Key Employees," as that term is defined by the FMLA, employees returning to work at the end of FMLA leave will be placed in their original job or an equivalent job with equivalent pay and benefits. Employees will not lose any benefits that accrued before leave was taken. An employee on leave at the time a merit increase or bonus is due will receive the increase or bonus upon return if not provided during the leave period. The date for the increase and/or bonus, however, may be reset to incorporate the length of the leave at issue.

FMLA does not affect accrual of seniority. Employees may not, however, be entitled to discretionary raises, promotions, bonus payments, or other benefits that become available during the period of leave.

Job Abandonment/Voluntary Resignation

If an employee fails to return to work at the expiration of their approved FMLA leave, they may be treated as having voluntarily resigned after three (3) days unless an extension is granted by their immediate supervisor and the Personnel Services Director. A request for extension of FMLA leave must be submitted to the employee's supervisor prior to the expiration of the approved FMLA leave and medical certification may be required before granting such an extension. Such extension may not be granted beyond twelve (12) weeks per calendar year (or twenty-six (26) weeks in the case of service member family leave). If the employee's request for an extension is denied and the employee fails to return to work, the employee will be subject to termination.

Status Reports during Leave

During leaves under this policy, an employee must periodically report on their medical status and intent to return to work no later than every thirty (30) calendar days.



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408.2 Military Service Leave

Employees who require time off work to fulfill military obligations will be treated in accordance with the applicable state and federal law and shall notify their supervisor of upcoming military duty by providing them with a copy of orders as soon as possible.

Short-Term Military Training

An employee who is a member of the United States Armed Forces Reserves, or National Guard, shall be, after presentation of official orders, entitled to a leave of absence from their position without loss of pay, time or efficiency rating during the period in which the employee is engaged in annual field training, coast defense exercise, or other active duty or training exercises. Such leave with pay shall not exceed that allowed by Statute. A copy of the employee's official orders or appropriate military certification must be presented to the employee's immediate supervisor who shall ensure that it is filed in the employee's personnel file. An employee's written request for military training leave should be made as soon as possible in advance of the leave and shall specify the date for such training period.

Examinations for Military Service

An employee who is ordered by the Selective Service Board to appear for an examination for induction into the military service shall be granted leave with pay for such a purpose after presenting a copy of such orders to their immediate supervisor.

408.3 Bereavement Leave

An employee may be granted up to three (3) days of bereavement leave with pay when a member of the employee's immediate family dies. For purposes of this subsection only, immediate family is defined as the employee's spouse, child, stepchild, foster child, parent, parent-in-law, sibling, grandparent, and grandchild. The Assistant County Administrator has the authority to grant such leave for employee family members who are blood relative niece or nephew. Upon written request more than three (3) days bereavement leave may be granted, but only three (3) days shall be with compensation, unless the employee chooses to apply unused vacation leave credits towards the absence. Each employee must submit, if requesting bereavement leave due to death in the immediate family, a statement to their Department Director stating the name of the deceased individual, the employee's relationship to the deceased, and the date of death. In the event that the funeral is more than 500 miles from St. Johns County, five (5) days paid bereavement leave may be granted at the discretion of the Department Director.

408.4 Administrative Leave

Court Time

Employees who are summonsed to jury duty or subpoenaed will be granted administrative leave with pay during such absence. To be eligible to receive such pay, the employee must deposit with the Finance office any payment received from the State while serving in such a capacity. The County will not reimburse the employee for meals, lodging and travel expenses for having served as a witness or juror.

Employees subpoenaed or summonsed to represent a County department as a witness or defendant are not considered to be on administrative leave. Rather, their appearance in such case is considered part of the employee's job assignment. The employee will be paid per diem and travel expenses, if incurred. To be eligible to receive such pay, the employee must deposit any funds received from the court to the Finance office.



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Administrative leave with pay will not be granted for court attendance when an employee is engaged in personal litigation or when appearing as a witness in a case not involving St. Johns County. However, the employee may be granted vacation leave in such cases after obtaining approval through their chain of command via the Leave Request form.

Voting

Employees may be granted one (1) hour of administrative leave with pay for the purpose of voting during normal working hours. Employees shall not be granted administrative leave to work the polls during elections.

Leaves of Absence

Except for leave taken by eligible employees under the Family Medical Leave Act, leave of absence is any authorized extended absence from work without pay for a period not to exceed six (6) calendar months, provided the County deems such leave to be justified and not detrimental to the operation of the department to which the employee is assigned. Employees on such leave in excess of five (5) working days during any pay period will not be eligible for merit salary advancements and will not be granted salary increases of any type. Furthermore, employees placed on a leave of absence without pay are in non-pay status and are not eligible to receive payment for holidays. Employees on unpaid leave will not be entitled to continue to accrue paid leave benefits, including employees that are receiving income replacement such as short-term disability, long-term disability or Workers' Compensation. Personal leave of absence is intended to be used for health, education, or extenuating and or extraordinary personal reasons.

Employees on a leave of absence without pay must notify the Personnel Services Department and their immediate supervisor of their intention to return to work at least seven (7) calendar days prior to their return date. Failure to return from a leave of absence on or before its expiration date or accepting other employment during a leave of absence shall be considered a voluntary separation of employment. Upon return from leave, all reasonable efforts will be made to place the employee in their former position.

408.5 Exempt Leave

Subject to certain exceptions, exempt employees shall receive their full weekly salary for any week in which the employee performs any work, without regard to the number of days or hours worked. Exempt employees who believe their salary has been improperly reduced should address the matter promptly with their manager or the Personnel Services Director. If it is confirmed that an improper deduction has been made, the employee will be promptly reimbursed for the amount improperly deducted.

Employees in an exempt classification status may be authorized to use exempt leave at their Department Director's discretion. This type of leave is a paid leave and may not be used in conjunction with any other type of leave. This leave shall not be deducted from exempt employee leave accounts and must be approved on a standard leave request form prior to use. Department Directors shall not delegate the approval of this type of request to anyone.

408.6 Vacation

Vacation with pay shall be granted to regular full time and regular part time employees. The amount of vacation which an employee accrues depends on their status and length of service.



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Years of Continued Service	Length of Vacation Each Year	Vacation Hours Accrued Per Pay Period
0 year - less than 3 years	10 working days a year	3.0770
3 years - less than 10 years	15 working days a year	4.6160
10 years - less than 15 years	20 working days a year	6.1540
15 years - less than 20 years	25 working days a year	7.6930
Over 20 years	30 working days a year	9.2307

Effective January 1, 1997, employees hired on or after this date will accrue vacation according to the following schedule:

Years of Continued Service	Length of Vacation	Accrual Rate
0 year through 3 years	10 days	3.0770
4 years less than 10 years	15 days	4.6160
10 years or more	20 days	6.1540

Computing Vacation Pay

Pay for vacation is based on the employee's rate of pay at the time of their vacation and is computed on a forty (40) hour workweek. Vacation shall be accrued based on years of continuous service including periods of paid absence time. Authorized leaves of absence without pay, in excess of twenty (20) working days and period of layoffs, shall not qualify as continuous service time.

Unused vacation may be accumulated to a maximum of thirty (30) days (240 hours) annually, with the exception of Senior Management and 24/48 personnel. Vacation during any pay period is credited to the employee on the last day of the pay period, or in the case of separation, on the last day the employee is on the payroll.

Employees may accumulate leave above the maximum hours but on the last pay period in the calendar year, vacation leave balances will revert to 240 hours for regular class employees and excess leave will be forfeited.

Employees who move from one Board of County Commission position to another Board of County Commission position will retain their accrued vacation leave balance, provided there is no break in employment.

Use of Vacation

The County will endeavor to grant the employee's preference as to dates of vacation; however, the approval of requested vacation dates shall be at the discretion of the Department in order to maintain effective operations.

Vacation should be used to provide a periodic time away from work; however, earned vacation credits may be used for any purpose when authorized by the employee's Department Director or designee. Use of vacation is not authorized prior to the time it is earned and credited to the employee, and may only be used with the prior approval of the Department Director or designee.



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Regular class employees, who have been promoted or transferred into another Board of County Commission position, and who are placed back on an introductory/probationary status may use their available vacation leave hours while in such a status.

Payment for Accrued Vacation

Regular status employees who leave the employment of the County as a result of a voluntary resignation, retirement or layoff shall be paid for unused accrued vacation up to thirty (30) days (240 hours). Only Senior Management and 24/48 personnel will receive payment for accrued vacation in excess of 240 hours. If an employee fails to give their Department Director or designee at least two (2) weeks notice prior to resigning, or if the employee is discharged by the County, the unused vacation payment will be forfeited unless otherwise determined by the County Administrator. In case of an employee's death, payment for unused vacation at the time of death is made to the employee's estate, or as provided by law. Employees who terminate their employment before completing the introductory period forfeit all accrued vacation leave.

At the discretion of the County Administrator employees who have completed one (1) year of employment may be paid up to a maximum of forty (40) hours of their vacation leave per fiscal year for emergency situations.

Employees who contribute pre-tax dollars to their FSA account and have been reimbursed more than what has been deducted from their pay prior to separation shall refund the County from their accumulated vacation and/or sick balance prior to their final pay.

408.7 Holidays

Official holidays observed by St. Johns County:

New Year's Day	-	January 1st
Dr. Martin Luther King, Jr.'s Birthday	-	3rd Monday in January
President's Day	-	3rd Monday in February
Good Friday	-	Friday before Easter
National Memorial Day	-	Last Monday in May
Independence Day	-	July 4th
Labor Day	-	1st Monday in September
Veteran's Day	-	November 11th
Thanksgiving Day	-	4th Thursday in November
Thanksgiving Friday	-	4th Friday in November
Christmas Eve	-	December 24th
Christmas Day	-	December 25 th
Any other day the Board of County Commissioners declare		

- Holidays falling on a Saturday are observed on the preceding Friday. Holidays falling on a Sunday are observed on the following Monday.
- In order to be eligible to receive holiday pay, all employees are required to work their regularly scheduled hours the workday preceding and workday following the holiday. An approved vacation day or any other excused and paid day off is considered a day worked for purposes of holiday pay eligibility.



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- Employees who work less than a forty (40) hour workweek will only be paid holiday pay (number of hours normally scheduled to work – not to exceed eight (8) hours) if the offices are closed on the holiday which would be their normal workday.
- Full time employees shall be paid no more than eight (8) holiday hours for all holidays approved by the Board.

408.8 Birthday

Full time employees are granted one (1) paid day off (eight (8) hours) per year. This day may be taken at anytime in the fiscal year but may not, under any circumstance, be carried forward into the following fiscal year.

408.9 Sick Leave

Sick leave shall be considered an earned benefit. Full time employees who are not in a temporary status and who are paid on a regular basis are credited with 3.6960 hours of sick time every pay period (eighty (80) hours of work). Employees may accumulate up to 1200 hours of sick leave credits.

- Part time employees who work a percentage of a forty (40) hour week earn sick leave credits on a prorated basis.
- Employees who work less than a full pay period due to initial employment or separation during a pay period, transfer between departments, or are on a leave of absence without pay, earn sick leave credits for hours worked on a prorated basis.
- Employees on a leave of absence with pay continue to earn sick leave credits.
- Sick leave earned during any pay period is credited to the employee on the last day of that pay period, or in case of separation, on the last day the employee is on the payroll.

Use of Earned Sick Leave

The use of sick leave is not authorized prior to the time it is earned and credited to the employee, and may only be used with the approval of the employee's Department Director or designee. The employee must complete the six (6) month introductory period prior to using accrued sick leave. Regular class employees, who have been promoted or transferred into another County position, and who are placed back on an introductory/probationary status may use their available sick leave hours while in such a status. The employee's Department Director or designee may require a physician's certificate upon the employee's return to work.

Except for leave taken by eligible employees under the FMLA, sick leave may be authorized for the following purposes:

- The employee's own personal illness, injury or exposure to a contagious disease which would endanger others.
- The employee is a patient in a hospital or convalescent or nursing facility.
- The employee has scheduled a medical, dental or related appointment.
- For care of the employee's immediate family (spouse, children, mother, father) who is ill and/or convalescing.
- When an employee who has reported for work, but in the judgment of the supervisor is unable to work due to disease, illness or injury.

Notification of Use

Employees must notify their immediate supervisor of any planned use of sick leave as soon as they are aware of the need, but no later than the first hour of the first day of the employee's absence. Employees are expected to make a reasonable effort, subject to the health care provider's approval, to schedule treatment so as to not



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unduly disrupt the County's operations. After a request for use of accrued sick leave has been made to the employee's supervisor, the Department Director or designee may require the employee to certify that the absence was for an authorized sick leave by submitting a physician's note upon return to work. After three consecutive workdays of absence, the Department Director or designee may require medical certification from the employee's physician before authorizing any additional use of sick leave credits by the employee. In addition, the Personnel Services Department must be notified after an employee has missed three (3) consecutive workdays in order to determine FMLA eligibility.

If the employee is unable to return to work after all sick leave has been exhausted, the employee may use accrued vacation before being placed in a leave without pay status. An employee who becomes ill while on approved annual leave shall be allowed to use accrued sick leave credits to cover the period of illness. Employees who move from one Board of County Commission position to another Board of County Commission position will retain their accrued sick leave balance, provided there is no break in employment.

Forfeiture of Unused Sick Leave

Employees who separate from the County with less than six (6) years of creditable service, forfeit, and are not paid for, unused sick leave. Employees who have completed six (6) years of creditable County service forfeit, and shall not be paid for, unused sick leave if their employment is terminated.

Employees are paid for unused sick leave when they have completed more than six (6) years of creditable service and separate from County for reasons other than discharge or death. They are compensated at their regular hourly rate of pay for one fourth (1/4) of all unused accrued sick leave, not to exceed 300 hours. All such payments for unused sick leave will be made in a lump sum. This payment is not considered as a salary payment and will not be used in determining the average final compensation of an employee in any County administered system.

In the case of the employee's death, payment for accrued sick leave will be made to the employee's estate or as otherwise provided by law.

County Urgent Care Clinic

As a benefit, the Urgent Care Clinic provides for urgent routine medical care (except on-the-job injuries) for employees, their dependents, and our retirees. The primary purpose of this benefit is to reduce medical costs for the County. Employees are encouraged to use this service in order to save on medical expenses and reduce lost work time. Employees will not be charged sick leave when using the Urgent Care Clinic if they return to work the same day. Employees who do not return to work the same day will be charged sick leave from the time they are discharged from the Clinic until they return to work.

408.10 Sick Leave Pool

Full time County employees who have completed one (1) continuous year of employment with the Board of County Commissioners may elect to participate in a Sick Leave Pool to have access to a source of additional sick leave (up to a maximum of twenty five (25) days – days are in eight (8) hour increments) when their accrued sick and vacation leave hours are exhausted. Sick Leave Pool hours may only be used in cases of illness, accident, or injury to self.

Administration

The County Administrator shall be responsible for the administration of the sick leave pool and may delegate general administration to the Personnel Services Department. Personnel Services will verify requests to use hours from the Pool and/or to inquire into alleged abuse of the use of the Sick Leave Pool. Additionally,



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Personnel Services will ensure that all employees eligible for participation in the Sick Leave Pool are treated consistently and equitably according to policy.

Membership

- 1) Participation in the Sick Leave Pool shall be voluntary.
- 2) Participating employees shall sign a Sick Leave Pool Agreement as part of membership.
- 3) Only eligible employees may join the Sick Leave Pool (see scope).
- 4) Employees must have accrued a minimum of eighty (80) hours of combined sick and vacation time to join.
- 5) Employees must donate a minimum of forty (40) hours of sick and/or vacation leave to the Sick Leave Pool to become active members.
- 6) Leave hours contributed by a member to join or remain active in the Pool are forever forfeited.
- 7) Members who use two hundred (200) Pool hours must contribute another forty (40) hours of sick and/or vacation to the Pool to renew membership.
- 8) Former members may re-join the Pool at any time by meeting the membership criteria.
- 9) Members may be required to donate additional hours to the Pool on an annual basis to maintain their membership.

Use of Pool Hours

- 1) Members may be entitled to use Sick Leave Pool hours only after depleting all accrued sick leave and vacation leave.
- 2) Members requesting Pool hours must not have worked for a minimum of five (5) continuous workdays due to the illness, accident, or injury.
- 3) Prior to authorizing the use of Pool hours, members, or someone on their behalf, must submit a licensed practitioner's statement of the illness, accident, or injury with the request form to the Personnel Services Department. Personnel Services shall review the request and determine if the request shall be granted. HIPAA information shall be protected and not released to committee members.
- 4) The maximum number of hours allowed to be used by each eligible member is 200 in a calendar year.
- 5) Members shall not be approved to use Pool hours for anyone but self.
- 6) Sick Leave Pool hours may not be used for absences relating to Workers' Compensation.
- 7) Un-used Pool hours shall not be transferred or converted to cash upon the member's transfer to a position not eligible for such benefit, transferred to another Constitutional office, upon retirement, separation (under any condition), or upon the members request to no longer participate in the Pool.
- 8) Sick Pool hours may not be used for intermittent leave.
- 9) Substantiated abuse of the use of the Sick Leave Pool may result in the revocation of membership and repayment of hours withdrawn.

408.11 Parental Leave

Parental leave may be granted to employees (male or female) for the birth of an employee's child. Parental leave may also be granted for adoption or foster care placement of a child. Accrued sick and vacation leave may be used while the employee is out on Parental leave. This leave shall not extend beyond twelve (12) weeks from the birth date or adoption/foster date of a child. The use of the Sick Leave Pool hours may be authorized for this type of leave.

Parental leave shall not run concurrently for parents of County employees who give birth, adopt, or foster child/children. Parental leave may be used by both County employees provided the leave (sick and vacation) runs consecutively with the other parent and does not exceed the authorized twelve (12) week total. Upon making a request for Parental leave, the employee may be required to provide documentation to support the



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birth or legal placement of a child. Parental leave is also protected by FMLA. Employees who have at least twelve (12) months of service and have worked at least 1,250 hours in the last consecutive twelve (12) months are eligible for this type of leave.

Job Protection and Returning to Work

FMLA protected employees will be returned to the same or equivalent position with equivalent pay, benefits and other employment terms, provided that medical documentation requirements have been met.

408.12 Compassionate Leave

Compassionate Leave is a means to offset the financial challenges employees could experience in the event they exhaust their own leave balances. Approval for this type of leave is solely within the purview of the County Administrator subsequent to the recommendations from the appropriate Department/Division Director and the Personnel Services Department and is not appealable to the Board of County Commissioners. If such leave is approved, the employee taking the leave may receive donated vacation hours for pay, as provided for in this policy. The leave must be necessary in order to care for oneself or to serve as the primary caregiver to a family member (as defined in the FMLA) in situations that are based on medical necessity as documented by a certified medical care provider. Employees shall exhaust their Family Medical Leave prior to requesting a leave of absence. The combination of FMLA leave and any other type of leave may not exceed six (6) calendar months in a twelve (12) month period.

Every effort will be made to restore the recipient of this leave type to the same or equivalent position upon return to work.

Donors

- 1) Participation shall be voluntary.
- 2) Shall not be solicited, coerced, threatened or intimidated into donating hours to any employee.
- 3) Employees may participate as a donor after completing their initial six (6) month probationary period.
- 4) Donated vacation hours shall only be available to the qualified recipient identified on the donation form.
- 5) May donate any number of hours from their accrued vacation leave account (not to exceed 240 hours) but must do so in eight (8) hour increments.
- 6) Must have a minimum of forty (40) vacation hours remaining in their own vacation leave account after donating hours to an employee under this policy.
- 7) Shall not donate hours from their accrued sick leave account.
- 8) Un-used donated vacation leave shall not be returned to the donor.
- 9) Shall complete a donor form and submit to the Personnel Services Department to be used as a source document to transfer their vacation hours to the recipient's sick leave account.

Recipients

- 1) Must complete a leave of absence request form (if not on Family Medical Leave at the time of the request) and be approved for such leave prior to using (or continuing to use) donated vacation leave hours.
- 2) Must show proof of leave necessity at the time a leave of absence is requested. Documentation from the treating physician which states the absence is medically necessary shall be forwarded to the Personnel Services Department. Employees receiving donated leave must provide medical documentation every thirty (30) days to substantiate the continued need for leave donations.
- 3) Shall not directly or indirectly solicit, intimidate, threaten or coerce any employee into donating hours.
- 4) May not accrue sick or vacation hours while in a leave of absence status under this policy (Family Medical Leave is excluded).



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- 5) Shall not be entitled to merit salary increases or any other type of pay increase while in a leave of absence status under this policy (Family Medical Leave is excluded).
- 6) Must have exhausted all of their accrued sick and vacation leave and sick leave pool hours (if applicable) prior to using donated hours.
- 7) May only use a maximum of 1040 donated hours (if available) in any twelve (12) month period commencing the day a leave of absence was approved (the twelve (12) month period includes Family Medical Leave time taken before the additional approved leave period). Extensions may be authorized by the County Administrator if donated hours are available and the recipient remains in an approved leave of absence status.
- 8) Un-used donated leave shall be removed from the recipient's sick leave account on the day the employee returns to work.
- 9) Must notify the Personnel Services Department at least seven (7) calendar days prior to their return date.
- 10) Failure to return to work at the expiration of the leave of absence will be considered a voluntary separation from the County.



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Title: 409 Conduct	Issued: Apr 1992
Reference: F.S. 112	Revised: Aug 2007 June 2012

409.1 Solicitation

Salespeople, canvassers and other persons not employed by the County are prohibited from visiting work areas without permission from the County Administrator and are further prohibited from conducting business, or soliciting contributions or memberships during employee work time. This policy does not prohibit distribution of literature during employee's breaks in areas not designated as part of the employees' work area. Soliciting contributions or memberships during employee work time is prohibited.

409.2 Visitors

Visitation to any work area should be minimal unless it is directly related to work as disruptions impact productivity.

409.3 Smoking

To maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking in County buildings and County vehicles is not permitted. Smoking is permitted during normal break times and in designated areas only.

409.4 Postings of Notices, Flyers, Advertisements

The Intranet and bulletin boards shall be used to communicate official government information on equal employment opportunity, wages and hours, health and safety, and other issues.

Designated bulletin boards may be used for County related business. Any person, official, department, employee or outside organization requesting to post any bulletin at or in a County Building must have the permission of the department whose bulletin board will be used. If permission is granted, the item must be posted on a designated bulletin board or area reserved for this purpose. There shall be no postings on doors, walls, windows, or other areas not designated for such postings.

County Message Board

County employees are permitted to post items on the electronic bulletin board, entitled "County Message Board", providing all County Ordinances are adhered to and prohibited items as noted below are not posted. The Management Information Systems (MIS) Department is responsible for the electronic bulletin board. Messages sent to the "Everyone Group" and "BCC All Group" must be approved by the County Administrator, their designee, or the supervising Constitutional Officer.

Prohibited Postings

Material that contains content that is obscene, pornographic, libelous, promotes any religious activities or any political activities of a partisan nature, advocates violence, bigotry, or bias based on race, color, religion, sex, national origin, marital status, age, disability or genetics are not allowed. Postings of a commercial nature for personal financial gain or promotion of commercial ventures are also prohibited. Employees selling personal items on an individual basis who are not engaged in a commercial enterprise may post items for sale on the County Message Board if approved by the County Administrator or designee.



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409.5 Political Activities

Employees are permitted to be politically active but are not permitted to be a candidate for political office, to hold political office, or to hold an office in a political party as an employee of the County. Active or passive political campaigning or solicitation for political contributions during working hours is prohibited.

409.6 Conflict of Interest

County employees shall not have personal investments in any enterprise, which could create substantial conflict between their private interests and the public interest. It is important that employees do not maintain such relationships with organizations, businesses or individuals with which they have official County business. Such behavior might be construed as evidence of favoritism, coercion, unfair advantage, or collusion.

409.7 Personal Business

Employees shall only conduct official County business during work hours. Personal business may not be conducted at work. The use of County property and/or equipment may not be used for personal business.

409.8 Personal Appearance and Grooming

Employees are expected to take pride in their personal appearance and meet appropriate grooming standards as enforced by each Department Director.

409.9 Dress Code

Work attire shall reflect our customer oriented and professionally operated organization. In order to balance the County's image with the employee's freedom to make his or her own wardrobe choices, casual business attire is acceptable in the office environment during regular business hours. Department policy may vary based on safety regulations, tasks performed, and the customers served.

Guidelines

All attire shall communicate a professional attitude, be comfortably fitting, clean, neat, and in good condition. Dress standards apply to both women's and men's attire. The following items are inappropriate for office wear:

- Apparel typically worn to the beach or for work in the yard or gym.
- Clothing that is excessively revealing (transparent, or that overly exposes areas of the body such as the midriff or chest).
- Bedroom slippers or flip flops.
- Under-garments worn as outer-garments.
- T-shirts.
- Attire that displays offensive images or wording.

Jeans are not permitted to be worn except for those days designated by the County Administrator. If jeans are worn, they must be worn with a shirt displaying a County logo. Supervisors are tasked with the responsibility of ensuring that their employees are dressed professionally each day. Employees not dressed appropriately will be required to change clothing and return to work properly dressed.

Uniforms

Employees who are issued uniforms are responsible for their condition and wearing them as directed by their supervisor. Uniforms may not be modified and are not to be worn during personal time. Supervisors are responsible for ensuring that all issued uniforms and equipment are returned to the County prior to the employee's separation from employment.



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409.10 Performance Evaluations

Written employee evaluations will be prepared at least annually, by the supervisor or department director. Employee evaluations are used for, but not limited to, the following:

- To inform the employee of their work performance in the reporting period.
- To recognize the employee's potential for promotion.
- To determine the employee's eligibility for salary advancements.
- As a basis for taking disciplinary action against the employee.
- To determine training needs.

Employees who have completed the introductory/probationary period of six (6) months shall have their performance evaluated.

All performance evaluations will be prepared by the employee's immediate supervisor and reviewed by a higher-level supervisor. The immediate supervisor's final evaluation may not be changed by a higher level supervisor; if the reviewing supervisor believes the rating is unsubstantiated and in need of revision, such comments shall be placed on an addendum page by the reviewing authority. Every employee performance evaluation will include a statement stating that the employee does or does not comply with the County Safety Policy.

Employee performance evaluations shall note an overall rating from one (1) of the following five (5) categories: Outstanding, Very Effective, Effective, Marginally Effective, or Ineffective. Employees who receive an overall evaluation of marginally effective or ineffective will be placed on a six (6) month probationary period in order to closely monitor performance. Employees in a probationary status whose overall evaluation is marked Marginally Effective or Ineffective are subject to adverse employment action.

Special performance evaluations may be given at any time at the discretion of the supervisor or Department Director. When an employee's performance is less than effective, the supervisor should prepare a special performance evaluation for the employee.

Results of the performance evaluation should be discussed with the employee and a copy furnished after all signatures have been obtained. A copy of the evaluation shall be placed in the employee's personnel file. A notation will be placed on the evaluation in the event an employee refuses to sign for their copy. A copy of the evaluation with such notations shall be furnished to the employee upon request.

Supervisors are responsible for evaluating employees in a timely fashion and as directed. Supervisors who fail to evaluate employees in this timely manner may not be eligible for pay increases or promotions.

409.11 Outside Employment

Employees who engage in secondary employment may not allow that employment interfere or conflict with County work and interest (military service is not considered outside employment). Outside employment must be approved by the Department Director and the Personnel Services Department using the designated form. Outside employment may not:

- Conflict with the employee's duties with the County.
- Have an association with any business which has questionable or has an unfavorable reputation that would reflect negatively on the County.
- Conflict with business or contractual agreements with the County.



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409.12 Confidentiality

Employees shall not disclose confidential information gained through their employment with any person who does not have the need to know. Employees are also prohibited from using such privileged information for their personal gain or benefit.

409.13 County Telephone Use

County provided telephones (land lines and cellular phones) are intended for the conduct of St. Johns County business and are a tool for carrying out the County's day-to-day operations. All calls are to be handled in a professional manner.

Personal incoming and outgoing phone calls should be a rare occurrence and are restricted to local or toll-free calls only. Department Directors shall review all telephone bills and ensure that all calls are County business related. Charges for emergency calls made outside the local calling area shall be reimbursed by the employee to the County. The Department Director shall be responsible for documenting the payment of charges and forwarding such payments to the Finance Department.

409.14 Cell Phone Use

The use of personal cellular phones or other communication devices is restricted to non-duty time, such as breaks, lunch, etc.

Purchase/Lease

To initiate a request for authorization to obtain County cellular phone service a written justification should be submitted to the Department Director, specifically detailing the need for the cellular phone. Criteria that indicates the need for a cellular phone are: The employee spends more than 30% of their time away from their office complex on County business, the employee services the public and needs to be able to be contacted at any time for this service, or there is a significant need for the employee to stay in touch with their office while away from the office and this is the only method available. If approved by the Department Director, the request should be forwarded to the Assistant County Administrator for approval. The Department Director will determine, through the Purchasing Department, the specific rate plan. The approved request will be forwarded to the Purchasing Department for placement of order, the disapproved request will be returned to the requesting Department Director.

Analysis of Usage

All cellular phones that are assigned to the department that fall below an average usage of sixty (60) business minutes per month, will require formal justification to be made to the Assistant County Administrator's office for continuation of that particular unit.

Non-County Usage of County Cellular Phones

Non-County or personal usage is prohibited. However, if there is a bona fide situation or emergency, calls will be allowed. If the cellular provider offers a second line option, an employee may exercise this option at his/her own expense. The use of the County cellular phone second line for personal conversations is restricted to non-duty time, such as breaks, lunch, etc. Unauthorized calls and/or abuse of the use of the cellular phone may result in immediate recall of the phone and may be cause for disciplinary action.

Each department will be responsible for the payment of their department's monthly bill. Periodically, the Purchasing Department will randomly select a representative sampling of the monthly bills for a review of County and non-County usage. Those bills selected will be forwarded to the departments for an analysis of the



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County and non-County usage per phone. The departmental analysis of the proper usage will be forwarded to the County Administrator's office for final review.

Cellular Use by Persons Other Than the Cell Phone Holder

All phone calls placed or received from a cell phone are the responsibility of the cell phone holder regardless of who placed the phone call. In instances where the cellular phone is assigned to a department or location the department will be responsible.

Cellular Phones Privately Owned – County Usage and Personal Usage

In the event an individual has access to a privately owned cellular phone, for which the County does not incur the equipment expense, the following procedures will apply:

- Should use of a personally owned/leased cellular phone be required to conduct business of an official nature, i.e. in an emergency, or extenuated circumstance with the pre-authorized use by a supervisor, reimbursement of such expense(s) incurred shall be allowed if submitted with billing documentation on no less than a quarterly basis to the Department Director, as follows:
 - A copy of the bill with the calls made and the conduct of official business circled, with a memo stating the nature of each call and total amount to be reimbursed.
 - Upon evaluation of the request and receipt of proper authorizations, reimbursement requests will be sent to the Finance Office for processing and payment.

Cellular Phone Use in Vehicles

The policy and procedure for the safe use of cellular devices in vehicles is located on the "SafetyNet" webpage.

409.15 Computer Use

Any employee using a St. Johns County computer is considered a user, and is obliged to comply with this policy. The County computer system may only be used for the purpose of conducting County business and may only be accessed by authorized users. All employees are required to read, understand and comply with this policy. A Policy Acknowledgement form must be completed by every user and shall be maintained in each employee's personnel file.

User Rights and Responsibilities

- Users consent to having their activities on the system/network monitored and recorded at any time. If such monitoring or recordings reveal suspected criminal activity or any other violation of these policies and procedures the information will be forwarded to the appropriate authorities and/or supervisors.
- Employees gaining access to any account not assigned to them is prohibited and shall be punishable under the County's Conduct policy.
- Employees may not use their assigned computer to interrupt, destroy or limit the functionality of any software or hardware, telecommunications equipment, or diminish the quality of, interfere with the performance of, or impair the functionality of any other computer system inside or outside of the County's network.
- Malicious computer code, files or programs including but not limited to computer viruses and the like must be immediately reported to the Management Information Systems (MIS) Department.
- Employees having knowledge of security violations are responsible for immediately informing their supervisor and the MIS Department.
- Users are responsible for the use and control of their accounts including but not limited to choosing and protecting passwords, file maintenance, etc.
- Users are not permitted to intentionally modify files without permission from the owner of the file, regardless of the file's system permissions.



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- Disclosure or transmission of propriety information, including but not limited to, hardware, network configuration, security or software products, by any means without the express authorization by the County Administrator or designee is prohibited.
- All digital data, such as files, records, and emails on County systems which are not considered personal are subject to F.S. Chapter 119. All email is journalized and available to the public.

Internet Access from Home

Department Directors may authorize employees who telecommute full time to be reimbursed (up to 100% of paid fees) for Internet access. Partial reimbursement for Internet access fees may be authorized by the Department Director based on the number of hours spent in a telecommuting status and the availability of funding.

Hardware and Software

- Authorization for the purchase of software or hardware will not be approved until it is reviewed by the MIS Department and/or Constitutional Officer or designee.
- Personal software is prohibited on County computers.
- Personal computer hardware is not permitted to be connected to or interfaced with County computers or equipment unless reviewed and approved by the MIS Department. A Waiver of Liability statement must be signed by the user if the exception is approved.
- All authorized software obtained from other sources is required to be reviewed, tested, and have an approved anti-virus scan performed on it by the MIS Department and or Constitutional Officer or designee prior to installation.
- Personal work is not permitted on County computers at any time except for correspondence and postings for the County Message Board which may be made on break times.
- Copyrighted, licensed and County-owned software is not permitted to be copied unless authorized by MIS to conduct a system backup.
- Software is not permitted to be installed or downloaded without written authorization from the MIS Department

Data Backup

Computer systems with backup device, will forward a weekly data backup to the MIS Department for off-site storage.

409.16 Appropriate Conduct

Employees are expected to adhere to accepted business principles in matters of professional and personal conduct and exhibit a high degree of personal integrity at all times. Employees must refrain from behaviors that may be harmful to self and others or that might be viewed unfavorably by employees or the public. St. Johns County is an "at will" employer as defined by Florida Law. Types of behavior and conduct that St. Johns County considers inappropriate and which could lead to disciplinary action up to and including termination of employment without prior warning include, but are not limited to, the following (this list is not all-inclusive):

- Negligence.
- Inefficiency.
- Inability to perform assigned duties.
- Insubordination.
- Willful violation of County rules and regulations.
- Conduct unbecoming of a public employee.
- Misconduct.



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- Use of alcohol or narcotics beverages while engaged in County business.
- Reporting to work intoxicated or under the influence of non-prescribed drugs.
- Arrest of any crime involving moral misconduct.
- Arrest of a felony.
- Falsifying employment or other County records.
- Violating the Prohibition of Unlawful Harassment policy.
- Establishing a pattern of excessive absenteeism or tardiness.
- Using County supplies/materials or other property for personal purposes.
- Illegally manufacturing, possessing, using, selling, distributing, or transporting drugs.
- Fighting or using obscene, abusive, or threatening language or gestures while on the job.
- Stealing.
- Possessing unauthorized firearms.
- Disregarding safety or security regulations while on the job or while on County property.
- Making false allegations or claims.
- Making unauthorized recordings.

409.17 Disciplinary Action

St. Johns County uses a progressive discipline process. Progressive steps will be followed with regard to employee disciplinary matters except in matters where management determines the matter should be addressed outside of the progressive system.

Normally, the supervisor will administer appropriate corrective or disciplinary action. Appropriate action will be determined based on factors such as severity, frequency, and degree of deviation from expectations.

Disciplinary actions may take the form of: verbal warning, written warning, suspension, change in assignment, reduction in pay, demotion, or termination. All disciplinary action other than verbal and written warnings must be discussed with the Personnel Services Director or designee prior to such action. Disciplinary action (verbal or otherwise) must be documented on the Corrective Action form and submitted to the Personnel Services Department for inclusion in the employee's personnel file. The County Administrator reserves the right to modify disciplinary action as necessary.

The following progressive disciplinary steps will be followed to ensure that St. Johns County rules and policies are enforced fairly and consistently. St. Johns County reserves the right to impose discipline not in accordance with these policies if it determines such action is necessary due to the nature of the circumstance. Nothing in this policy should be construed to alter, in any way, the "at will" employment relationship between an employee and the County.

Step :1

Verbal Warning - Usually given for a first time infraction that that is not serious in nature. Documentation, by use of the Corrective Action form, must be made and sent to the Personnel Services Department for inclusion in the employee's personnel file.

Step 2:

Written Warning - Usually given to an employee for a repeated violation or when such behavior impacts operational readiness. Written warnings must be documented on the Corrective Action form and sent to the Personnel Services Department for inclusion in the employee's personnel file.



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Step 3:

Suspension or Other Action - This type of discipline is a more severe action that may be used to continue investigations and/or attempt to change the behavior of an employee. Suspensions are issued when it is determined that a second warning would not suffice or that an incident is too severe for a warning yet management does not exercise dismissal. Employees may be suspended without pay for up to five (5) days. Suspensions may vary in length as determined by management. At the request of the Department Director, the County Administrator may approve an extension of a suspension if court action is pending against the employee.

Step 4:

Termination - Employment may be terminated after progressive disciplinary steps have failed or when any incident occurs that is serious or egregious in nature. An employee may be discharged at any time without using progressive steps if the employee commits an offense for which immediate discharge is specified as a penalty or, if in the County's judgment, the employee's continued employment would be contrary to the professional image of the County or its employees. The Personnel Services Director or designee must be consulted prior to the dismissal of any employee.

409.18 Grievance/Appeals

The County is committed to providing fair treatment to all employees and will ensure each concern is handled in an efficient and equitable manner. This policy establishes a procedure to provide a way for employees to solve problems, resolve disputes, and appeal employment decisions which may rise regarding the application, meaning or interpretation of the County's practices and procedures. This procedure does not apply to new employees serving their initial six (6) month probation, contract employees, and temporary employees. Employees who have concerns regarding discrimination or harassment should follow the procedure explained in the Prohibition of Unlawful Harassment policy.

The County encourages employees to discuss concerns with their supervisor without fear of reprisal. It is the intent and desire of the County to address complaints informally. Both supervisors and employees are expected to make every effort to resolve problems as they arise.

Three levels of review are established so that employees who are dissatisfied with the answer received from their supervisor have a means to efficiently address their concern with a higher level authority. Employees shall first discuss the matter with their immediate supervisor within five (5) working days of the occurrence of the incident. If dissatisfied with the supervisor's response, the employee has the option of appealing the response using the following procedure:

Level One:

The employee should reduce their concerns to writing for presentation to their Department Director within five (5) working days from the date of discussion with the immediate supervisor. A copy of the statement must be furnished by the Department Director to the Personnel Services Director. The Department Director will schedule and conduct a meeting with the employee within five (5) working days of receipt of the appeal and will provide an answer within five (5) working days of this meeting. A meeting with all parties involved is encouraged before the Department Director prepares their answer. If the employee is dissatisfied with the Department Director's answer or the answer is not received within the specified time period, the employee may appeal the action to the Assistant County Administrator assigned to the department as provided in Level Two.

Level Two:



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The employee may appeal by submitting the original document, the Department Director's response and any additional comments to their Assistant County Administrator or designee. Copies of all documents must also be submitted to the Personnel Services Director. The appeal shall be filed within five (5) working days from the date of the Department Director's response. The Assistant County Administrator or designee will conduct a meeting with the employee within ten (10) working days of receipt of the appeal and the employee will be provided an answer within ten (10) working days of the meeting. A meeting with all parties involved is encouraged before the Assistant County Administrator or designee prepares their answer. Should the employee be dissatisfied with the answer or not receive an answer within the specified time period, the employee may appeal the action to the County Administrator or designee as provided in Level Three.

Level Three:

To appeal to the County Administrator's office, all previously submitted forms and additional employee comments must be submitted by the employee to the County Administrator's Office with a copy to the Personnel Services Director within five (5) working days of receipt of the Assistant County Administrator or designee's response. The employee may discuss their concerns with the County Administrator or their designee, if desired. The County Administrator, or their designee, will conduct a meeting within ten (10) working days of receipt of the appeal with a representative from Personnel Services in attendance. A final decision will be rendered by the County Administrator's office within five (5) working days of the meeting unless both parties agree to a change of time. The County Administrator's decision is final and no further appeals are available through the County. The employee shall have the right to be represented and/or accompanied by another employee during discussions with the County Administrator. Employees who are represented by an attorney will not be afforded the opportunity to take part in this informal process.

General Provisions:

- 1) There will be no retaliation against an employee for utilizing this process.
- 2) Employees at Department Director level and contract employees are not eligible to use this procedure and must seek to resolve their issues or grievances with the County Administrator.
- 3) An appeal or request for a hearing that is not submitted within the time limits as prescribed for each level where no written extension has been granted by the due date shall be considered untimely and waived; and, unless the lack of timeliness results from circumstances over which the employee has no control, untimely appeals will not be considered. An appeal not taken to the next step within the time limits shall be considered settled on the basis of the last answer provided by management. An appeal or request for a hearing that is not answered within the time limits prescribed for the appropriate management representative at each level shall entitle the employee to appeal to the next level.
- 4) The time limits prescribed herein may be extended for good and sufficient reasons by management due to illness, vacations, business trips, emergencies, business scheduling conflicts, or other unusual circumstances, when deemed in the best interest of assessing all available information to arrive at an equitable solution. If the time limits are extended, the employee will be so advised in writing.
- 5) The time limits as set forth in this procedure for the processing of complaints and responses by management shall remain the same for employees regardless of work schedules. For the purpose of this procedure, the working day shall be defined as regular business hours Monday through Friday.
- 6) All records, notes, correspondence, decisions and actions pertaining to the complaint shall be maintained in the Personnel Services Department. A copy of the final resolution of all appeals shall be furnished to the employee and a copy forwarded to the Personnel Services Director for filing.
- 7) The Personnel Services Department is responsible for administering the commitment to fair treatment procedure and ensuring the appeal is handled in a prompt and efficient manner.
- 8) This procedure does not provide any guarantee of a job or position with the County.
- 9) It is not the County's practice to allow court reporters or attorneys to participate in this process.



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10) Audio recording of any discussion or meeting under this procedure is strictly prohibited.

Termination of Employment Appeal

An employee who has had their employment terminated may appeal the decision, in writing, to the County Administrator via the Personnel Services Director within five (5) working days from the date of termination of employment. A request for an appeal that is not submitted within the time limits as prescribed where no written extension has been granted shall be considered untimely and, unless the lack of timeliness results from circumstances over which the former employee had no control, untimely appeals shall not be considered.

The County Administrator, or designee, will conduct a meeting with the former employee within seven (7) working days of receipt of the appeal with a representative from Personnel Services in attendance.

The County Administrator or designee shall respond, in writing, to the former employee within fourteen (14) working days. All applicable General Provisions of the policy apply.

409.19 Resignation

Employees who resign after giving a minimum of two (2) weeks advanced notice may be entitled to the payment of accrued leave in accordance with the policy.

409.20 Abandonment of Position

Employees who are absent for three (3) consecutive working days without authorized leave will be considered to have abandoned their position and will have their employment terminated.



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Title: 410 Senior Management Service	Issued: Apr 1992
Reference: F.S. 121.055	Revised: Dec 2006 June 2012

410.1 General Provisions

The Florida Statute dictates the number of positions that may be designated Senior Management Service and is designed to attract and retain highly competent senior-level managers for executive management level positions.

The County Administrator shall be responsible for designating the positions assigned to this class of employment and for assigning the duties and responsibilities for each position.

Positions may be designated as Senior Management Service positions by the County Administrator after considering, as a minimum:

- The authority of the position to make final policy decisions, the nature of such decisions and the effect of such policy decisions on the Board's operation.
- The effect of independently made policy decisions on the public or other agencies.
- The total number of professional, supervisory and managerial employees, both exempt and non-exempt, for which the position has managerial responsibility.
- The position's hierarchy in the organization.

Employees in Senior Management Service shall serve at the pleasure of the County Administrator, and shall be subject to suspension, dismissal, reduction in pay, demotion, transfer, or other personnel actions at the discretion of the County Administrator.

410.2 Performance Appraisals

Performance appraisals may include any elements that the County Administrator feels are appropriate in evaluating the performance of employees filling Senior Management Service positions. Appraisals are due once each calendar year or anytime deemed appropriate by the County Administrator.

410.3 Attendance and Leave Provisions

The County Administrator shall establish the work hours and attendance and leave policies for employees in the Senior Management Service.

- 1) Senior Management Service employees are entitled to the paid holidays observed by the County.
- 2) Senior Management Service employees shall accrue up to one hundred and sixty (160) hours of vacation leave (6.1538 hours in each biweekly pay period) and ninety-six (96) hours of sick leave (3.693 hours in each biweekly pay period) each fiscal year. Leave may be used at the discretion of the employee and with approval of the County Administrator.
- 3) Accrued vacation leave in excess of 320 hours shall be converted to sick leave on an hour-for-hour basis on the last pay period of the calendar year.
- 4) Senior Management Service employees who earn vacation leave at a rate greater than what is established in this section shall continue to accrue at the higher level after being appointed to the Senior Management Service.
- 5) Accrued sick leave may not exceed 1200 hours under any circumstance. Excess hours shall be permanently removed from the employee pay record on the last pay period of the calendar year.
- 6) Other types of leave shall be granted and used in accordance with the provisions for such leave as it applies to other County employees as stated in this Code.



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Transfer

Senior Management Service employees transferred into a position which is not designated as Senior Management Service shall not be paid for accrued vacation leave that is in excess of the limits for the position to which they are transferred into. The employee's vacation leave balance shall remain in the employee's leave record upon transfer but shall not be carried over at the end of the calendar year beyond the maximum for regular class employees. Upon date of transfer employees move from a Senior Management Service position to a regular class position will earn vacation leave at the rate assigned to regular class employees.

All accrued sick leave shall remain in the employee's sick leave account when the employee is transferred from a Senior Management Service position into a position in County government not in the Senior Management Service.

Separation

Accrued vacation leave may be paid upon separation of employment but shall not exceed 320 hours. Separation is defined as no longer working for St Johns County Board of County Commissioners for at least thirty-one (31) calendar days. One fourth (1/4), or a maximum of 300 hours, of the employee's accrued sick leave may be paid upon separation if the employee has been in a Board of County Commission Senior Management Service position for at least five (5) continuous years.

Separation leave payments shall not be authorized if a Senior Management Service employee:

- Is found guilty in a court of competent jurisdiction of committing, aiding or abetting any embezzlement or theft from the employer or bribery in connection with the employment.
- Is separated for cause.

410.4 Benefits

The employee shall enjoy all of the benefits afforded by the Florida Retirement System for being assigned to such a class. Details are available by contacting the Personnel Services Department.

Subject to the appropriation of funds, the County shall pay the premiums for each full time Senior Management Service employee:

- 100% of the premium for the County's individual life insurance policy in an amount of \$50,000.
- 100% of the premium for the County's individual and family group health insurance.
- 100% of the premium for the County's individual disability insurance policy.

The County Administrator may provide Senior Management Service staff with a County vehicle or a monthly car allowance in accordance with policy.



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Title: 411 Prohibition of Unlawful Harassment	Issued: Jan 2006
Reference: U. S. Code Title VII	Revised: June 2012

411.1 Commitment

St. Johns County is committed to maintaining a work environment free of harassment on the basis of race, color, religion, gender, national origin, age, marital status, disability, and genetics. The County will not tolerate unlawful harassment of any employee by any supervisor, co-worker, vendor, client, or other parties while on the job. Workplace harassment may violate one or more of the following: Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act, as Amended or the Florida Civil Rights Act. All employees are responsible for maintaining a workplace that is free of unlawful harassment and intimidation. The County is committed to promptly and thoroughly investigating all complaints of unlawful harassment. If, after a thorough investigation, it is determined that the County's policy against unlawful harassment has been violated, immediate and appropriate disciplinary action up to and including termination of employment may be taken.

411.2 Definition and Examples of Unlawful Harassment

Unlawful harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of the individual's race, color, religion, gender, national origin, age, marital status, disability, or genetics. Violations of the County's policy prohibiting unlawful harassment may include, but are not limited to, the following:

- Conduct that has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive environment.
- Conduct that otherwise adversely affects an individual's employment opportunities; epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, marital status, disability or genetics; and written or graphic material, including e-mails and computer screen displays, that denigrates or shows hostility toward an individual or group because of race, color, religion, gender, national origin, age, marital status, disability or genetics and that is placed on walls, bulletin boards, or elsewhere on the County's premises, or circulated in the workplace. This also includes acts that purports to, or are meant to be, jokes or pranks, but that are hostile or demeaning, such as hate mail, threats, defaced photographs, or other such conduct.

Violations of the County's policy prohibiting unlawful harassment may also occur when the intended target of the conduct is not offended, but others reasonably find the conduct to be intimidating, hostile or abusive.

The County is equally committed to maintaining a work environment free of sexual harassment. The County will not tolerate the sexual harassment of any employees by any supervisors, co-workers, vendors, clients, or anyone else. All employees are responsible for maintaining a workplace that is free of sexual harassment and intimidation. The County is committed to promptly and thoroughly investigating all complaints of sexual harassment. If, after a thorough investigation, it is determined that a violation of the County's policy prohibiting sexual harassment has occurred, immediate and appropriate disciplinary action up to and including discharge may be taken.



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411.3 Definition and Examples of Sexual Harassment

Unwelcome sexual advances, requests for sexual favors and any other physical, verbal or visual conduct of a sexual nature constitute sexual harassment when:

- 1) Submission to the conduct is an explicit or implicit term or condition of employment or continued employment.
- 2) Submission to or rejection of the conduct is used as a basis for employment decisions affecting an employee, such as promotion, demotion or evaluation.
- 3) The conduct has the purpose or effect of creating a hostile or offensive work environment.

Violations of the County's policy prohibiting sexual harassment may include, but are not necessarily limited to:

- Unwelcome sexual propositions.
- Sexual innuendo.
- Sexually suggestive remarks.
- Vulgar or sexually explicit comments, gestures or conduct.
- Sexually oriented kidding, teasing or practical jokes.
- Physical contact such as brushing against another's body, pinching or patting.
- The publication, to any one, of documents (including pictures and text) in the workplace that contain any material that is of a sexual nature.
- Using the computer or any other electronic device to access any Web site, newsgroup, CD, floppy disk, or any other resource that contains material that is of a sexual nature.
- Abusive or intimidating conduct or remarks directed at a person or persons based upon their gender.

Violations of the County's policy prohibiting sexual harassment may also occur when the intended target of the conduct is not offended, but others reasonably find the conduct to be intimidating, hostile or abusive.

Responsibility

Since knowledge by management is legally construed as knowledge by the County, all managers and supervisors shall be responsible for immediately notifying the Personnel Services Department of any complaints of harassment. It is the responsibility of all employees to attend harassment training as required. Managers and supervisors are expected to prevent and eliminate harassment in their respective work areas. It is the responsibility of all employees to report harassing or discriminating conduct.

411.4 Unlawful Harassment Complaint Procedure

An employee who believes they are being harassed should confront whoever is doing the harassing, state how they feel about such activities or remarks and request that the person cease such activities or remarks immediately. If the employee does not feel comfortable approaching the person they feel is harassing them or if that person does not respect and follow the employee's request, the employee should immediately report the complaint to any one of the following persons:

- Immediate supervisor/manager
- Department/Division Director
- A Personnel Services Department staff member

If the complaint involves a Personnel Services employee, the employee should immediately report the complaint to County Administrator's office.

The Personnel Services Department will investigate or coordinate the investigation of any complaint of harassment, except in any instance where a member of the Personnel Services Department is either a



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complainant or is accused of harassment. In such a case, the employee's Assistant County Administrator or their designee shall conduct or coordinate an investigation. The investigation of the complaint will normally include conferring with the parties involved and any named or apparent witness. Because of their sensitive nature, complaints of harassment will be investigated with care and will remain confidential to the extent possible. Information concerning an allegation of harassment will not be released to third parties except as required for the legitimate business purposes of the investigation or as required or allowed by law.

Any employee found to be in violation of the County's policy prohibiting harassment will be subject to disciplinary action up to and including termination of employment.

There shall be no retaliation against any applicant, employee or volunteer who files a harassment charge or who participates in an investigation of a harassment charge. Accusations of retaliation shall be investigated in accordance with this policy. Employees found to have retaliated against an employee will be disciplined up to and including termination of employment.

St Johns County also recognizes that false accusations of harassment can have a serious effect on innocent individuals. Therefore, false accusations may result in disciplinary action including termination of employment. Any non-employee found to be harassing a County employee will have their employer notified.



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Title: 412 Drug Testing	Issued: Apr 1992
Reference: F.S 440.102 & F.S. 397.311	Revised: Aug 2007

412.1 Purpose

The St. Johns County Board of County Commissioners acknowledges the problem of substance abuse in our society. It is a serious and pervasive problem that threatens the health and safety of our employees, our community and our government. This policy is pursuant to the drug testing amendment to the Florida Worker's Compensation Law, the Worker's Compensation Drug Testing Regulations, Fla. Admin. Code 38F-9, Florida traffic and safety laws for commercial motor vehicles, F.S. 316.302, the Omnibus Transportation Employee Testing Act of 1991, and the Department of Transportation Controlled Substances Testing Regulations, 49 C.F.R. part 382 and part 40 (collectively referred to as "Applicable Law"). The County's primary concern is to protect the health and safety of its employees and the general public. In addition, the County wishes to qualify for the Workers' Compensation premium discount provided under Fla. Stat. 627.0915 and the presumption of intoxication provided under Fla. Stat. 440.09 and 440.101 with respect to employees who test positive for alcohol or illegal drug use following an on-the-job injury.

Unlike many other debilitating and life threatening afflictions, substance abuse usually begins voluntarily. Furthermore, substance abuse, while directly impacting the individual, has a harmful influence on the individual's family, friends, co-workers, employer and the community. In addition to the emotional costs, substance abuse can affect employee safety and robs government of time, productivity and profitability.

This policy is designated to provide employees with information to understand and recognize substance abuse. We believe this is the first step toward eliminating such abuse.

412.2 Authorization

This policy has been promulgated pursuant to the requirements of the Florida Drug Free Workplace Program Section 440.102, Florida Statutes; the Workers' Compensation Drug Testing Rules enacted by the Florida Department of Labor and Employment Security, Division of Workers' Compensation and codified at Florida Administrative Code Chapter 38F-9; the Omnibus Transportation Employee Testing Act of 1991; regulations of the Federal Department of Transportation (DOT) contained in 49 CFR Part 40; regulations of the Federal Highway Administration contained in 49 CFR Parts 382 and 391; and Section 234.091, Florida Statutes.

412.3 Applicability

This policy applies to all St. Johns County employees and job applicants. Upon reading this policy all employees are required to read and sign the form title, "Drug Testing Policy – Certificate of Acknowledgement." Employees covered by a collective bargaining agreement must comply with the provisions of the Policy mandated by State or Federal law regardless of the collective bargaining relationship.

412.4 Effective Date

This Policy was adopted August 1, 1995 and revised August 23, 2007 for all employees not covered by a collective bargaining agreement. Employees covered by a collective bargaining agreement should refer to the agreement for an effective date.



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412.5 Definitions

For the purpose of construing the St. Johns County Drug and Alcohol Testing Policy, the following definitions apply:

- Accident/Injury - self-injury, unexplained damage to equipment or property, or an accident involving a commercial motor vehicle that results in the loss of human life, or that results in the receipt of a citation under State or Local law for a moving traffic violation arising from the accident.
- Alcohol - the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl isopropyl alcohol.
- Alcohol Use - the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
- Collection Site - a place where individuals present themselves for the purpose of providing a specimen to be analyzed for the presence of drugs or alcohol.
- Commercial Driver - any person who operates a commercial motor vehicle and who is required to hold a commercial drivers license. This includes, but is not limited to: full time, regularly employed drivers; casual, intermediate or occasional drivers; leased drivers and independent, owner/operator drivers.
- Commercial Drivers License or “CDL” - a Class A, Class B, or Class C drivers license issued in accordance with the requirements of Chapter 322, Florida Statutes.
- Commercial Motor Vehicle - a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
 - Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds.
 - Has a gross vehicle weight rating of 26,001 or more pounds.
 - Is designed to transport 16 or more passengers, including the driver.
 - Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials regulations.
- Confirmation Test - for alcohol testing means a second test, following a screening test that provides quantitative data of alcohol concentration. For controlled substances testing confirmation test means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. The confirmation test for controlled substances will generally be gas chromatography/mass spectrometry (GC/MS).
- Controlled Substance - is synonymous with the term “drug” as defined herein.
- Drug - alcohol, including distilled spirit, wine, a malt beverage or an intoxicating liquor, a cannabinoid, marijuana (THC metabolite), cocaine, opiates, amphetamines, phencyclidine (PCP) hallucinogens, methaqualone, barbiturates, benzodiazepines, a synthetic narcotic, a designer drug or a metabolite of any of the substances listed in this paragraph.
- Drug Rehabilitation Program - a service provider that provides confidential, timely, and expert identification, assessment and resolution of employee drug abuse.
- Drug Test - any chemical, biological or physical instrumental analysis in conformity with this Policy, administered for the purpose of determining the presence or absence of a drug or its metabolites.
- Employee - a person employed by St. Johns County who is covered by the requirements of this Policy.
- Employee Assistance Program - an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment



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services, these services shall, in all cases, be provided by service providers pursuant to Section 397.311(28), Florida Statutes.

- Employer refers to St. Johns County.
- GC - gas chromatography. "GC/MS" means gas chromatography/mass spectrometry.
- Initial Drug Test - a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens, using immunoassay procedure or an equivalent, or a more accurate scientifically accepted method approved by the United States Food and Drug Administration or the Agency for Health Care Administration as such more accurate technology becomes available in a cost-effective form.
- Job Applicant - a person who has been offered a position with St. Johns County that is covered by this Policy, conditioned upon meeting the requirements of the Drug and Alcohol Testing Policy.
- Laboratory - a facility, inside or outside the State of Florida, certified by the United States Department of Health and Human Services or licensed and approved by the Agency for Health Care Administration to analyze specimens for the detection of drugs or alcohol as defined herein.
- Medical Review Officer or "MRO" - a licensed physician, employed with or under contract to the employer, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee's confirmed positive test result in relation to the employee's medical history and any other relevant bio-medical information.
- Nonprescription Medication - a medication that is authorized pursuant to state or federal law for general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.
- Prescription Medication - a drug or medication obtained pursuant to a prescription.
- Reasonable Suspicion - an articulable belief that an employee possesses or uses drugs or alcohol in the workplace, or is intoxicated or impaired by drugs or alcohol, based on specific and particularized facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon a report of drug use, provided by a reliable and credible source or information that an employee has been involved in an accident while at work.
- "Refuse to Submit" - to a drug or alcohol test means that an employee: (1) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of this Policy; (2) fails to provide adequate urine for alcohol and controlled substances testing without a valid medical explanation after he/she has received notice of this Policy; or (3) engages in conduct that clearly obstructs the testing process.
- Safety-Sensitive Function - means a position in which drug impairment constitutes an immediate and direct threat to public health or safety and any of the on-duty functions set forth in 49 CFR Section 395.2, Paragraphs (1) through (7) and Section 440.102 (1)(0), Florida Statutes.
- Screening Test, "Initial Test"- in alcohol testing means an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in his/her system. In controlled substance testing, it means an immunoassay screen to eliminate "negative" urine specimens from further consideration.
- Specimen - a breath, blood or urine sample of the human body capable of revealing the presence of alcohol or drugs or their metabolites.

412.6 Notice of Implementation

The implementation of the Drug and Alcohol Testing Policy, contained within the confines of this document, constitutes general notice to all employees of St. Johns County that each employee is required, as a condition of employment or continued employment, to fully comply with the provisions of the Drug and Alcohol Testing Policy, and to fully cooperate with the implementation and enforcement of the Policy, including execution of



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the necessary authorization forms. All employees shall receive a copy of and be asked to read the Drug and Alcohol Testing Policy, and will be required to sign a statement indicating their understanding of the Policy.

All employees will be notified that in compliance with the “Drug Free Workplace Act of 1988” that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. Furthermore it will be known by all employees that if convicted of a drug statute violation occurring in the workplace, they are to report such to the County in writing no later than five days after such a conviction. All employees must abide by the terms of the Drug Free Workplace policy statement as a condition of employment.

If an employee voluntarily or on request by St. Johns County, prior to an incident, seeks medical treatment or rehabilitation for substance abuse, St. Johns County will grant that employee one time medical leave of absence for treatment. An employee request for medical treatment or rehabilitation will only be considered prior to an incident. Such a request will not be an option once the employee has tested positive for substance abuse. The St. Johns County health insurance, or the Employee Assistance Program, up to Policy limits, will cover such treatment. During such time as an individual is enrolled in a rehabilitation program, St. Johns County shall attempt to maintain a position for that employee upon his/her successful completion of the program. However, St. Johns County in no way guarantees that any employee, upon returning from the successful completion of a drug/alcohol rehabilitation program, shall have any employment position provided to him/her. Moreover, in the event that an employment position is available, St. Johns County does not guarantee that such a position will be the same or equal position, which the employee previously held, or that the rate of pay for that position will be equal to that previously received prior to employee’s suspension and enrollment in a rehabilitation program.

412.7 Prohibited Conduct

St. Johns County strictly prohibits its employees from being on duty and possessing, using, distributing or being under the influence of alcohol or any drug not prescribed for the employee. Further, St. Johns County prohibits its employees from misusing alcohol or possessing, using or distributing drugs off the job to the extent that any off-duty possession, use or distribution impacts upon their effectiveness and ability to perform their employment duties, or adversely affects the interests of the County.

Any employee unable to provide a sample will be deemed to have refused to submit to testing. Upon the recommendation of St. Johns County’s certified health care laboratory, the employee will be allowed a two-hour period with eight ounces of water per thirty minutes in order to provide the sample.

Employees violating this policy will be disciplined up to and including termination of employment.

412.8 Job Applicant Testing

St. Johns County requires all individuals employed by the County to be free of alcohol and controlled substances. All finalists for positions with the County will be offered employment contingent upon satisfactory results of a drug test. No applicant will be tested until after receiving a conditional offer of employment. Applicants who refuse to be tested will not be considered for employment and their conditional offer will be withdrawn.

All job applicants’ prospects of employment with St. Johns County will be conditioned upon their being qualified for work. Any job applicant who tests positive for controlled substances, or whose test results indicate an alcohol concentration of 0.04 or greater will not be considered qualified for employment with St. Johns County.



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All employment candidates shall be provided notice of the test and assurance that highly reliable testing procedures will be used. Prior to and after testing, applicants are given an opportunity to confidentially report to a Medical Review Officer the use of any prescription or non-prescription medicines which may alter their test results. Additionally, applicants may consult with a Medical Review Officer for any further technical information regarding such medications.

The results of the laboratory test shall be restricted to whether or not the applicant's specimen tested positive for alcohol and/or controlled substances, the particular substance involved and the amount found within the specimen tested.

412.9 Types of Testing

St. Johns County reserves the right to conduct the following types of testing:

- Job Applicant Substance Abuse Testing.
- Current Employee Substance Abuse Testing.
- Routine Fitness-for-Duty Testing.
- Reasonable Suspicion Testing.
- Post-Accident/Injury Testing.
- Random Testing.
- Return-to-Duty Testing.
- Follow-up Testing.

Job Applicant Substance Abuse Testing

Job applicants will submit to a post-offer, pre-employment drug screening and have satisfactory results as a condition of their employment.

Routine Fitness-For Duty Testing

St. Johns County will require all of its employees to submit to alcohol and drug testing, which is conducted as part of a routinely scheduled employee fitness-for-duty medical examination where the testing is determined to be job-related and consistent with business necessity.

Reasonable Suspicion Testing

St. Johns County will require all of its employees to submit to a controlled substances or alcohol test whenever there is reasonable suspicion to believe that an employee is under the influence of, or otherwise using alcohol or controlled substances. Reasonable suspicion requires an articulable belief by management that an employee possesses or uses controlled substances or alcohol at the work place and is either intoxicated or impaired by such substances. The employer's determination that reasonable suspicion exists must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, and speech or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.

The standard for reasonable suspicion testing does not require an overwhelming burden of proof. Generally, where supervisors can reasonably conclude that there are objective facts indicative of the use of prohibited substances, there is sufficient justification for testing. Among other things, such facts and inferences may be based upon:

Observable phenomena while at work, such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of drugs. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.



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- A report of drug use, provided by a reliable and credible source.
- Evidence that an individual has tampered with a drug test during his/her employment with St. Johns County.
- Information that an employee has caused, contributed to, or been involved in an accident while at work.
- Evidence that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while on St. Johns County premises or while operating St. Johns County equipment, vehicles or machinery.

If the employee is a commercial driver, special rules apply with regard to reasonable suspicion testing. The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or County official who is trained in such observations as provided herein. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test, shall not conduct the alcohol test of the employee. With respect to alcohol testing of employees holding commercial drivers licenses, the observations required under this section must be made during, just preceding, or just after the period of the workday that the employee is required to be in compliance with this Policy. An employee holding a commercial drivers license may be required to undergo reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. St. Johns County shall make all reasonable effort to administer an alcohol test to employees holding a commercial drivers license within two (2) hours following the determination of reasonable suspicion, and in no event will an alcohol test under this section be conducted beyond eight (8) hours of the determination of reasonable suspicion. If the alcohol test is not administered within two (2) hours of the above determination, a record stating why the alcohol test was not administered within the time frame will be prepared and maintained. With respect to controlled substances, reasonable suspicion testing of commercial driver's license holders, a written record shall be made of the observations leading to the test, signed by the supervisor or County official who made the observations, within 24 hours of the observed behavior or before the results of the controlled substance test are released, whichever is earlier.

St. Johns County will require employees who are promoted or transferred to or who assume positions within the County requiring the operation of a motor vehicle to submit to drug and alcohol testing prior to the commencement of that position.

St. Johns County has the right to search lockers, handbags, lunch boxes, or other containers at any time provided there is reasonable suspicion to believe that an employee possesses or is under the influence of drugs. An employee's refusal to cooperate with a search will be treated as serious insubordination that warrants immediate discipline including discharge.

Post-Accident Testing

St. Johns County requires substance abuse testing for any employee involved in an accident while on duty, whether on or off the County's premises. An accident does not just have to involve a vehicle. It could be an injury to self or unexplained damage to equipment or property.

If an employee possessing a CDL has a vehicular accident while operating one of the County's commercial vehicles, that employee must be tested for alcohol and controlled substances, as soon as practicable, if the accident involves the loss of human life, or if the driver receives a citation under state or local law for a moving traffic violation arising from the accident. No employee shall drive a County vehicle or perform safety-sensitive duties while awaiting drug-screening results.



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Due to the fact that St. Johns County's concern for its workforce is paramount, it may be necessary to administer appropriate medical treatment prior to obtaining specimens for post-accident testing. If the required specimens can be obtained at a medical treatment facility which is not a designated collection site, a physician, physician's assistant, registered nurse, nurse practitioner, licensed practical nurse, certified paramedic, or licensed collection site person may collect the specimen. If such an individual is not present, the injured employee, as soon as is medically permissible, shall be transported to a designated collection site to produce the required specimens.

All employees who are subject to post-accident testing shall remain readily available for such testing unless medically unable to do so. If they do not remain available for such testing, they will be deemed to have refused to submit for testing, as provided herein. As stated above, nothing in this Policy shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

Random Testing

St. Johns County reserves the right to conduct random substance abuse testing on any or all of its employees engaged in safety sensitive positions at any time without prior notice. Additionally, St. Johns County employees who hold commercial drivers licenses shall also be subject to random alcohol testing to the extent that a minimum of 50 percent of the average number of commercial driver positions covered by this Policy will be tested on an annual basis. The minimum annual percentage rate for random controlled substance testing shall be 25 percent of the average number of commercial driver positions covered by this Policy. An employee possessing a CDL shall only be tested for alcohol while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions, whereas random drug testing on employees holding a CDL can be performed at any time. By contrast, all other County employees (who do not hold a CDL) in safety-sensitive positions may be randomly tested at any time.

The selection of employees with commercial drivers licenses for random alcohol and controlled substance testing shall be made by a scientifically valid method, such as a random number table of a computer-based random number generator that is matched with employees' social security numbers, payroll identification numbers, or other comparable identifying numbers. Under the selection process used, each such employee possessing a CDL shall have an equal chance of being tested each time selections are made. All other random testing on employees, who do not hold a CDL, may be performed upon the basis of any selection procedure St. Johns County chooses to implement.

All random tests conducted under this provision will be unannounced. The dates for administering random alcohol and controlled substance tests will be spread reasonably throughout the calendar year.

Return-to-Duty Testing

Any covered employee who has engaged in conduct prohibited by Section VII of this Policy, and who has not been terminated from employment as provided herein, shall, before returning to duty, undergo a return-to-duty controlled substance or alcohol test. For employees holding commercial drivers license, the results for any return-to-duty alcohol test must be 0.02 or less for the employee to resume employment. For employees who do not hold commercial drivers licenses, the alcohol test result must be less than 0.04, in order to return to work. For both employees who hold commercial drivers licenses and those who do not, the results of any return-to-duty controlled substance test must be negative in order to resume employment.



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412.10 Specimen Collection and Laboratory Procedures

St. Johns County is committed to following strict specimen collection and laboratory testing procedures to ensure the quality, integrity and authenticity of the specimen. Employees and job applicants have a right to consult a Medical Review Officer for technical information regarding prescription and non-prescription medication. Further, employees and job applicants will be allowed to confidentially report the use of prescription and non-prescription medications to a Medical Review Officer before and after being tested on forms to be provided.

Collection site security and specimen collection are unequivocally the responsibility of the collection site and its personnel. St. Johns County assumes no responsibility for specimen collection or transmittal errors incurred by the collection site, the laboratory or their respective staffs. St. Johns County will pay the cost of all initial and confirmation substance abuse screening it requires from either its applicants or employees. However, all costs of additional non-required testing and testing incurred during a rehabilitation period or program shall be borne by the employee.

412.11 Common Medications Which May Alter or Affect a Drug or Alcohol Test

The following list includes the most common medications, by brand name or common name, as well as by chemical name, which may alter or affect a drug test.

- ALCOHOL - All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contac Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
- AMPHETAMINES - Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex.
- COCAINE - Cocaine HCl topical solution (Roxanne).
- PHENCYCLIDINE - Not legal by prescription.
- METHAQUALONE - Not legal by prescription.
- THC - Not legal by prescription.
- OPIATES - Paragoric, Parepetolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulphate), Percodan, Vicodin, etc.
- BARBITURATES - Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butabital, Phenilin, Triad, etc.
- BENZODIAZEPINES - Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranexen, Valium, Halcion, Paxipam, Restoril, Centrax.
- METHADONE - Dolophine, Methadose.
- PROPOXYPHENE - Darvocet, Darvon N, Dolene, etc.

412.12 Penalties for Positive Confirmed Test

St. Johns County reserves the right, at its sole discretion, to terminate or not to employ any employee/person who submits confirmed positive drug or alcohol test results and/or confirmed positive alcohol results which exceed acceptable thresholds. In addition, employees found to have engaged in conduct in violation of Section VII of this Policy, will be removed immediately from the performance of all safety-sensitive functions, and will in no event be allowed to resume the performance of safety-sensitive functions. Further, such an impaired employee forfeits his/her eligibility for medical and indemnity benefits under the Workers' Compensation Act.



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412.13 Challenges to Test Results

Within five (5) working days after receiving written notice of a positive confirmed test result, all employees (with the exception of commercial drivers who are tested for drugs under this Policy) or applicants may contest or explain the result to a Medical Review Officer. If the explanation or challenge of the positive test result is unsatisfactory to the Medical Review Officer, the Medical Review Officer shall report a positive test result back to St. Johns County.

Within five (5) working days after receipt of a positive confirmed test from the Medical Review Officer, St. Johns County will inform the employee or job applicant in writing of such positive test result, the consequences of such results, and the options available to the employee or job applicant. Within five (5) working days after receiving notice of a positive confirmed test result, the employee or applicant may submit written information to St. Johns County explaining or contesting the test result, and explaining why the result does not constitute a violation of St. Johns County Policy. If an employee's or job applicant's explanation or challenge of the test result is unsatisfactory to St. Johns County within fifteen (15) days of receipt of the explanation or challenge, a written explanation as to why the employee's explanation is unsatisfactory, along with the report of positive results, will be provided to the employee or applicant. St. Johns County will keep all such documentation confidential to the extent permitted by law.



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Title: 413 Reduction in Force	Issued: Dec 2006
Reference: F.S. 215.425	Revised: June 2012

413.1 Purpose

The purpose of this policy is to prescribe the manner in which employees of St. Johns County may be treated should a Reduction in Force (RIF) become necessary. A RIF may result in the separation, involuntary demotion, reassignment, or reduction in work hours of affected employees.

413.2 Scope

All County employees under the administrative authority of the County Administrator.

413.3 Reduction in Force Plan

In the event a RIF is necessary due to reorganization, work shortage, loss of funding, outsourcing/privatization or other reasons, the Personnel Services Director shall consider the following items in order to develop the reduction in force plan:

- The reason(s) for the reduction in force.
- Area(s) affected by the reduction in force.
- Job titles within the area(s) affected.
- Number of positions in each job title(s) that may be eliminated.
- Business or operational needs of the Department/Division.

Additionally, the Personnel Services Director may determine this policy does not apply where employees receive another job within the Board of County Commissioners or St. Johns County Government.

413.4 Affected Area(s)

Upon recommendation of the Department Director, the Personnel Services Director shall determine the area(s) affected by the RIF. The County shall establish an affected area clearly distinguishable from other areas.

413.5 Affected Positions

Upon recommendation of the Department Director, the Personnel Services Director shall identify the positions affected by the RIF using following information:

- County job title.
- Total number of positions in the affected job title within the affected area.
- Total number of positions in the job title within the affected area to be eliminated.

413.6 Retention Points

The Personnel Services Director shall calculate retention points for employees in affected areas to assist in determining which employees are to be involuntarily demoted, reassigned, have reduced hours or separated. Retention points shall be based on the total scores of the two most recent annual performance appraisals and the length of continuous County service. Veterans Preference will be applied as appropriate.

413.7 Performance Appraisal Points

The Personnel Services Director shall determine the total score for an annual performance appraisal by using the Overall Performance Rating on the evaluations and assigning the following numerical values:

- Outstanding Performance: 5



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- Very Effective Performance: 4
- Effective Performance: 3
- Marginally Effective Performance: 1
- Ineffective Performance: 0

413.8 Continuous County Service Points

Employees will receive one (1) point for each year of continuous Board of County Commission service and excluding positions held directly under Constitutional Officers. If two or more employees affected by the reduction in force have the same number of retention points, the following criteria will be followed to determine who it is that will be affected by the RIF. The order of criteria will be:

- 1) Date of hire.
- 2) Disciplinary action, if any, taken within the previous two (2) years.
- 3) Rating factor markings on the two (2) most current performance evaluations. Points are assigned as described above.

414.9 Writing the Reduction in Force Plan

After determining what areas and jobs may be affected, the Personnel Services Director shall develop an implementation plan and deliver it to the County Administrator for final approval. The plan shall include the following:

- 1) The reason for the reduction in force.
- 2) The identification of the affected area(s).
- 3) The identification of the affected job titles.
- 4) The number of positions to be eliminated in each job title.
- 5) The affected employees, in order of retention points in the affected areas.
- 6) Any operational needs of the Department/Division or County which may override the calculated retention points.

The Personnel Services Director has the discretion to select the recommended positions affected based on operational needs and other relevant considerations.

413.10 Separation and Release

The County may require a Separation and Release agreement in exchange for severance.

413.11 Severance

Severance packages may include the payout of accrued vacation and sick leave balances without restriction but in accordance with F.S. 215.425. In the event the employee impacted by the RIF is placed in another position within the County or Constitutional Officer, the employee will be considered as continuously employed and not be eligible for any severance package.

413.12 Recall and Reinstatement Rights

An employee affected by a reduction in force will have recall and reinstatement rights to a position in County government for one (1) year after the effective date of the reduction in force.

Recall Rights

If a vacancy occurs within the affected area which is in the same job title as the employee held prior to the reduction in force, the County will recall employees in the inverse order of the reduction in force. The County will notify the employee of the job offer. If the employee does not accept the job offer in writing within ten (10) business days, the employee's recall rights will be waived. Although employees may apply for vacant



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positions at any time, preference will only be given to employees applying for the position they held prior to the RIF.

Reinstatement Rights

An employee affected by a reduction in force may apply for any County job for which they meet the minimum training and experience requirements. If hired for another position within the County, employee would still retain the recall rights as outlined above.

413.13 Grievance Rights

An employee affected by a reduction in force has the right to file a grievance with the County Administrator only if the grievance is based on improper or inconsistent application of the reduction in force policy and/or plan.