



**St. Johns County Administrative Code**  
**Section: Personnel**

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

**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.