



St. Johns County Administrative Code Section: Personnel

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.



St. Johns County Administrative Code

Section: Personnel

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.



St. Johns County Administrative Code Section: Personnel

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.



St. Johns County Administrative Code

Section: Personnel

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



St. Johns County Administrative Code

Section: Personnel

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.



St. Johns County Administrative Code

Section: Personnel

- 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.



St. Johns County Administrative Code

Section: Personnel

- 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.



St. Johns County Administrative Code

Section: Personnel

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:



St. Johns County Administrative Code

Section: Personnel

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.



St. Johns County Administrative Code

Section: Personnel

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.