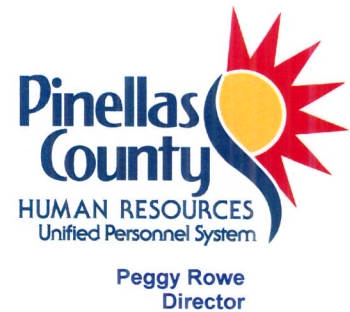


UNIFIED PERSONNEL SYSTEM

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TO: The Honorable Chair and Members of the Unified Personnel Board

FROM: Peggy Rowe, Director of Human Resources *PRowe*

DATE: March 4, 2014

RE: Proposed Change to Rule III, Eligible Registers, Certification, and Appointment and Rule II Recruitment, Selection and Appointments

I. RECOMMENDATION:

It is recommended that the members of the Personnel Board amend Personnel Rules II and III, as described below.

II. DISCUSSION:

As you know, we are implementing a new recruitment process that will allow for "just in time recruitments." We will no longer have registers that remain relevant for a year as we currently do. Additionally, while managers will be asked to consider internal qualified applicants ahead of external candidates, the new process does not include seniority points. Each register will, however, include a clear indication of whether an applicant is an employee.

Points on an eligible register will include those that reflect the scores achieved in the process as well as points for veteran's preference. Again, employee applicants will be flagged and hiring managers will have the capability to sort the list easily in order to ascertain and closely review those candidates who are current employees. The county will strive to promote from within wherever possible.

As you also are aware, we are revising our Personnel Rules and changes to the rules governing the hiring process will be reflected in the Personnel Rules when they come to you for your approval. In anticipation of the changes to the hiring process but prior to revisions to the rules, I respectfully ask that you allow amendment to Rules II and III as follows:

- Delete Rule II paragraph H and re-letter the remaining paragraphs.
- Amend Rule III as shown in attachment 1.

These hiring changes have been shared with the Appointing Authorities as well as countless employees. Additionally, the EAC has been advised of the changes in the hiring process. There is concurrence and enthusiasm regarding the changes to the practice as this will significantly improve the hiring process.

Rule III. Eligible Registers, Certification, and Appointment

A. Eligible Registers

The Director of Human Resources shall establish and maintain such eligible registers for the various job classifications as are deemed necessary to meet the needs of the Classified Service. Names of eligibles shall be placed on the register in the order of their final earned score and in accordance with requirements set forth in Chapter 295, Florida Statutes. Ties in final ratings shall be resolved by (1) arranging names of such eligibles according to their rating on that part of the examination which has the greatest weight and (2) by priority in time of filing applications. An open competitive or promotional register shall be in effect from the date on which it is certified. Referral of eligibles shall be on the basis of the final standings on the register for open competitive examinations. An Appointing Authority may appoint any person on the eligible list to fill a vacancy so long as this appointment is in conformity with the requirements set forth in Chapter 295, Florida Statutes.

B. Eligible Register Sections

1. Open Competitive Section

That part of the eligible register containing the names and grades in order of rank, for those candidates attaining a minimum passing score on the open and competitive examinations. ~~Duration of such lists shall be for a period of one (1) year from date of establishment unless the register is depleted.~~

~~2. Promotional Section~~

~~Employees retain eligibility on the promotional section of the eligible register for two years.~~

3. Layoff Section

That part of the eligible register containing the names of former employees who were separated through layoff procedures. The names of such former employees shall be placed on the register in an order determined by a combination of performance records and seniority in the respective class. Duration of such register shall be for a period of one (1) year from the date of placement of such names on the register.

4. Appropriate or Related Register

In the absence of an eligible register for a particular class within which a vacancy exists, the Director of Human Resources may certify from an appropriate existing register. Such appropriate or related register should be for a class having substantially the same requirements as the class in which the vacancy exists, and the pay grade should be commensurate between the classes. Also, the Director of Human Resources may supplement the names of candidates to an existing eligible register who have been certified to another eligible register of an equal or higher pay grade in a job family or career path.

C. Removal of Names from Eligible Register

The names of candidates shall be removed on the basis of the following:

1. Appointment through certification from the register to fill a vacant position.

2. Having been interviewed and rejected by three (3) different Appointing Authorities for positions in the same class; or in the case of such class existing in only a single department, being interviewed and rejected twice by the Appointing Authority. The Director of Human Resources may disapprove the reason of rejection if such is based on violation of the anti-discrimination policy of the County.
3. Failure to respond or report, within the time specified in the notice, to any inquiry of the Director of Human Resources or Appointing Authority concerning availability for employment.
4. Separation from the Classified Service.
5. Declining offer of employment three (3) times by a candidate.
6. Notice of postal authorities of their inability to locate the candidate at the last known address.
7. Discovery that the candidate lacks any of the qualifications prescribed as requirements for admission to the examination for the class or appointment to the position.
8. False statement of any fact or the practice of or attempt to practice deception or fraud in the candidate's application, or examination or, otherwise, in securing appointment or eligibility.
9. Discovery that the candidate has some physical or mental impairment which prevents the performance of the essential functions of the related job classification, even with a reasonable accommodation.
10. At the discretion of the Director of Human Resources, if finding that the candidate has been an unsatisfactory employee in either public or private employment because of inefficiency, delinquency, misconduct, or related reasons.
11. Disability which prevents the candidate from satisfactorily performing the duties of the position.

D. Reinstatement

Any former permanent status employee, who has resigned in good standing from the Classified Service, may within two (2) years from the date of resignation, request reinstatement to the appropriate eligible register for the previously served class or classes of employment. Such requests shall be made in writing and subject to the approval of the Director of Human Resources. On approval, the name of the former employee shall be placed at the bottom of the appropriate open competitive list. Any former employee who meets the requirements of Chapter 295, Florida Statutes, shall be reinstated to the previous position or an equivalent position.

E. Certification

The Director of Human Resources, based on receipt of an authorized requisition from an Appointing Authority, shall certify and refer the appropriate eligible registers. Consideration of the candidates by the Appointing Authority shall be in the following order:

1. The names of former employees of the department from the layoff section of the register.
2. The names of former employees of other departments from the layoff section of the register.

3. The names of eligibles from the promotional register, if any.
4. The names of eligibles from the open competitive register.
5. In the absence of an eligible register for the class and at the discretion of the Director of Human Resources, the names of eligibles from an appropriate or related register.

F. Drug Screening and Initial Medical Evaluation

Those applicants who are conditionally offered employment must successfully complete a drug screening in accordance with the provisions of the County's Substance Abuse Prevention Program, prior to beginning their employment.

Additionally, applicants who are conditionally offered employment must successfully complete a job-related medical evaluation by a physician selected by the Director of Human Resources. The purpose of this evaluation shall be to determine that, prior to beginning their work, these individuals are capable of safely performing the essential functions of their positions.

The above listed requirements may be waived by the Director of Human Resources for retirees from Pinellas County Government or other temporary workers needed on an emergency basis for periods of thirty (30) days or less, and for current or retired School Board employees performing temporary summer work for the County's Summer Food Service Program.

G. Types of Appointments

1. Probationary Appointments

Any new or promotional appointment made from a certified eligible register shall be a probationary appointment subject to the completion of a satisfactory probationary period. The probationary period shall be regarded as an integral part of the examination process and shall be utilized to evaluate the employee's performance on the job and for dismissing any employee who does not meet required standards of performance. The duration of such probationary period shall normally be for six (6) months in promotional situations and one year for newly hired employees from date of appointment. However, employees in an initial probationary status with the County who are absent for periods of time in excess of five (5) consecutive working days shall have their probationary period extended for the amount of time that such absence exceeds the five (5) day limit. Additionally, employees whose appointment to the Classified Service is temporary in nature shall be given up to six (6) months probationary service credit for the immediate prior temporary service provided the person is hired into a permanent position by the same department/division in the same or a lower related classification as the temporary appointment.

Employees who have completed the initial probationary period and are promoted will normally be required to satisfactorily complete a six (6) month probationary period in the new position without regard to any prior temporary service in the new position.

An Appointing Authority, at least ten (10) days prior to the expiration of an employee's probationary period, shall notify the Director of Human Resources in writing whether the services of the employee have been satisfactory or unsatisfactory. An employee whose services are deemed unsatisfactory shall be dropped from the payroll at any time prior to the expiration of the probationary period. If satisfactory, or if the Appointing Authority shall fail to furnish the

required notice to the Director of Human Resources prior to expiration of the probationary period, the appointment shall be deemed permanent. At any point prior to the end of the employee's probationary period, the Appointing Authority may determine that the employee has successfully satisfied the job related requirements of the position and may remove the employee from probationary status. The determination of the Appointing Authority in either of these matters shall be final and is not grievable.

2. Permanent Appointment

The change of a Classified Service employee, who has satisfactorily completed the probationary period of service, to a permanent employment status.

3. Provisional Appointment

Employment in a Classified Service position in the absence of an eligible register or pending completion of physical examination, such employment not to exceed six (6) months from the date of such employment nor more than forty-five (45) days following the establishment of an eligible register, whichever is less in length of time.

4. Grant Worker

A permanent employee hired for a specific grant only. The respective Appointing Authorities make appointments to this classification, subject to concurrence of the Director of Human Resources. The employee works for the length of the grant only, with extension to original appointment to be granted by the Appointing Authority with the concurrence of Director of Human Resources. Employees in this classification are excluded from the layoff provisions in Rule XXIII, and may not appeal their terminations in the event the grant under which they are working expires or is not renewed.

5. Other Types of Appointments

To fill positions of a temporary nature, the following appointments shall be made:

a. Temporary Appointments

Such appointments shall be for work which is temporary in nature, or employment under a CETA or other federally-funded emergency jobs program. All candidates for such appointments shall meet requirements set by the Appointing Authority in confirmation with the Pay and Classification Plan. The temporary appointment may be extended for an additional six (6) months upon approval of the Personnel Board.

b. Part Time Appointments

Such appointments may be granted for work which requires the services of an employee for less than the number of hours of a typical work week. Candidates for appointment shall meet the requirements set by the Personnel Board.

c. Substitute Appointments

Such appointments may be allowed to fill a permanent, vacant position open due to extended leave of absence. Such appointments shall be made from appropriate eligible registers or in the case of a promotional position, from the lower related class. The substitute appointment shall confer no status, appeal, or related provision under the Personnel Rules. The substitute appointment shall be for a period not to exceed six (6) months. The substitute appointment may be extended for an additional six (6) months upon approval of the Personnel Board. In the case of a vacant position open due to military leave that exceeds one (1) year, the substitute appointment may be extended for the duration of the military leave, upon approval of the Personnel Board, providing the approval is sought in six (6) month intervals.

d. Assignments

An Appointing Authority may assign any Classified Service employee under the Authority's jurisdiction to any duties as long as such duties are within the same classification. No employee in the Classified Service may be assigned duties of a different class for a period in excess of thirty (30) consecutive calendar days. Should it be necessary to temporarily assign duties of a higher classification to a permanent or probationary Classified Service employee for more than thirty (30) consecutive calendar days, a substitute or temporary appointment shall be made, the employee shall receive a promotional increase as outlined in Rule VI Promotion and such increase shall be retroactive to the first day that such employee was assigned duties of a higher classification, the original anniversary date shall be preserved, and the employee shall remain eligible for merit consideration on this anniversary date. Upon conclusion of this appointment, the employee shall be returned to the permanent position held immediately prior to this reassignment, and the employee's pay rate shall be adjusted to the pay rate that would have normally been attained had there not been a promotion to the higher assignment.

- e. There are occasions where departments must double encumber positions. These circumstances include situations where there is a need to train successors when retirement, resignation etc. is on the horizon. Other circumstances include but are not limited to situations where an employee is on an extended leave of absence and the position is encumbered by another employee during that time, and the use of job sharing between two employees occupying the same position. Double encumbering of positions must be approved by the Appointing Authority or his or her designee and the Director of Human Resources.

H. Fingerprinting, Photographing and Employee Identification

Except as waived by the Director of Human Resources for temporary employees as provided in Section F of this Rule, all employees shall be fingerprinted and photographed and will be expected to have a photo/identification card issued by the Director of Human Resources in their possession while at work and they are not transferable to any other employee or individual. Wearing or other display of the card is left to the discretion of the appropriate Appointing Authority.

Photos will be updated every five years or as special needs require. Cards shall be surrendered upon renewal and at termination of employment.

I. Keeping Personnel File Current

Information concerning changes of address and telephone number must be provided within thirty (30) days of such change. Employees are also encouraged to provide information concerning changes in emergency contact, educational accomplishments, or training skills.

Rule II. Recruitment, Applications, and Examinations Selection and Appointment

A. Personnel Program, General Policy

It shall be the continuing policy of Pinellas County that the substance, design and administration of its personnel program shall assure the fair treatment of applicants and employees in all aspects for personnel administration without regard to political affiliation, age, race, color, national origin, sex, or religious creed, and with proper regard for their privacy and constitutional rights as citizens. Upon request for inspection and/or copying by any person of the personnel file(s) or job application(s) of an employee of or applicant for employment by Pinellas County, whether maintained by the Human Resources Department or other department(s), the Human Resources Department or other department shall, to the extent possible, notify the employee or applicant of the request and make said files and applications available for inspection and/or copying at reasonable times and under reasonable conditions. The inspection and/or copying of such files and applications shall be made in the Human Resources Department, under the supervision of the Human Resources Director or designee. The employee or applicant shall have the right to be present at said inspection and/or copying.

B. Application for Employment

No person responding to public notice shall be denied the opportunity of filing an application for employment with the County, and all such applications shall be made on standard forms designed and prepared by the Director of Human Resources and approved by the Personnel Board.

C. Rejection of Applications

The rejection of applications shall be objectively based on failure to meet any of the announced requirements, prior unsatisfactory employment in the County Service, giving false information concerning past employment history or conviction record, prior conviction for a crime if the crime was a felony or first degree misdemeanor and directly related to the position of employment sought, or for other just cause.

D. Announcement of Examinations

Unless vacancies shall be filled by demotion, transfer, or by certification from layoff eligible lists, they shall be filled so far as practical by the promotion of employees in the Classified Service. The Director of Human Resources shall in such case, upon recommendation of the Department Heads or other Appointing Authority of the various departments concerned, establish an open competitive examination or a promotional examination to be conducted among the eligible employees of the department or departments in which vacancies exist. If the vacancy cannot be filled through promotion, the Director of Human Resources shall make public announcement of open competitive examination in advance of the date fixed for closing the filing of applications, and such examination shall be advertised in a major newspaper of general circulation published in the County. The Director of Human Resources may also give public notice of examinations for County employment through radio, television, the posting of bulletins, or through other appropriate means of advertising necessary to bring the notice of examination to the attention of the prospective applicants. Such notice shall set forth the job requirements and the time and place at which applications for employment may be filed. If an Appointing Authority is actively engaged in a reduction in force, the Director of Human Resources shall, upon recommendation of the Appointing Authority or another Appointing Authority, establish a RIF examination and shall announce the examination to all employees of the Unified Personnel System.

E. Cancellation of Examination

The Director of Human Resources may cancel, postpone, reschedule, or re-announce any examination for any good and sufficient reasons deemed in the best interest of the County Service.

F. Examinations

All appointments, except to those positions exempted by the Personnel Board, to the Classified Service, either at the entrance or promotional level, shall be made on the basis of merit and fitness, to be determined as far as practical and possible by competitive examination, except that an incumbent may be promoted to an upgraded position without examination or by a noncompetitive examination upon recommendation of the Appointing Authority and concurrence of the Personnel Board. Additionally, no employee holding a position in the Exempt Service shall be transferred to a position in the Classified Service without first having passed an appropriate examination. Whenever vacancies exist or are contemplated in the Classified Service, the Director of Human Resources shall prepare and administer standard level examinations which may consist of any, all, or a combination of the following tests designed to fairly and impartially test the merit, fitness, aptitude, experience, and other relative qualifications of an applicant to discharge the duties of the classification in which he seeks appointment:

1. Written Test
2. Oral Test
3. Performance Test
4. Physical or Medical Test
5. Evaluation of Training and Experience
6. Seniority
7. Any other applicable criteria which will fairly measure the relative abilities of individuals competing in examinations.

G. Types of Examination

Examinations may be assembled or unassembled and shall be announced in the following manner:

1. Open Competitive

Any examination in which competition is open to the public, providing they meet the announced requirements for admission to the examination.

2. Promotional

Any examination in which competition is limited to present employees with probationary, or permanent status in a lower job classification, providing they meet the announced requirements for admission to the examination.

3. RIF

Any examination during which the Appointing Authorities are actively engaged in a reduction in force and in which the competition is limited to present classified employees with probationary or permanent status, exempt employees who are to be impacted by the reduction in force, and former classified and exempt employees who have been separated from County service through lay off and whose separation date is less than six months from the closing date of the recruitment.

4. Noncompetitive

Any examination which is approved by the Personnel Board, upon the recommendation of the appropriate Appointing Authority, for an individual employee whose position has been reclassified.

H. Seniority Points - Application of Same

In computing scores for seniority in a promotional examination, the total length of continuous service immediately prior to the examination shall be used with a maximum credit allowance of ten (10) years. Seniority credit shall be granted at the rate of one-fourth (1/4) point for each three (3) months of service completed, and shall be added to the grade of those persons who receive a minimum or above passing grade on the written examination. No credit shall be given for periods of service of less than three (3) months.

I. Veterans' Preference Points - Application of Same

Individuals who are eligible for Veterans' Preference Points in accordance with Chapter 295, Florida Statutes, shall have such points added to their passing examination scores.

J. Results and Review of Examinations

The identity of each candidate shall be concealed during the examination process and, after the grading of examinations, the Human Resources Department shall advise each candidate as to the result of his examination. Within ten (10) days after the receipt of said notice, a candidate receiving such notice may, in the presence of the Director of Human Resources, review his examination question booklet. There shall be no time limit imposed relative to the candidate's re-examination following his review of the examination booklet.

Only where reasonable, extenuating circumstances exist, as determined by the Director of Human Resources, will a candidate be allowed to review his examination papers after the above specified ten (10) day time limit has elapsed. Employees in the Classified Service who are unable to review their examination papers in the above specified ten (10) day time limit because of being on sick or annual leave, or other approved leave, with or without pay, may review their examination papers within ten (10) days after their return to duty.

K. Appeals

Should an employee or new job applicant feel adversely affected or discriminated against in an opportunity for promotion or employment, or believes an injustice has been done in the grading of his/her examination papers, the individual may appeal to the Director of Human Resources. Should the matter not be resolved by the Director of Human Resources, the Pinellas County employee candidate may appeal to the Personnel Board. Any such appeal to the Personnel Board must be made in writing and shall specify the cause of complaint. The Personnel Board shall review the matter and shall render a final decision in the matter.

L. Examination Material Regarded as Confidential

Examination papers and materials are considered to be of a privileged nature and are not available for public inspection, but may be made available to the administrative officials of the County showing

Attachment 2

good reason why the disclosure of such information would be in the public interest, or to the Personnel Board where such material is pertinent in the case of a hearing.