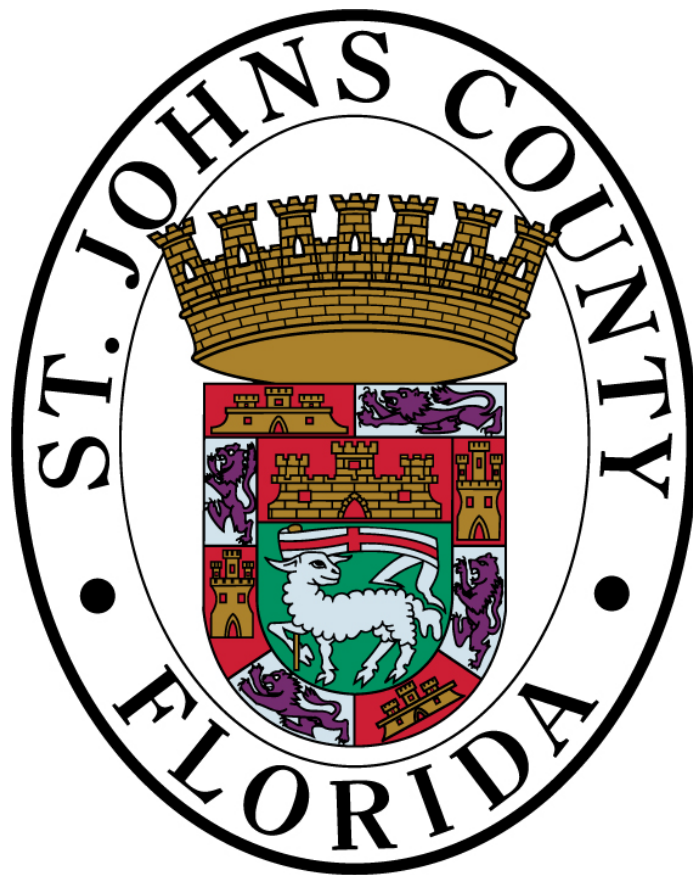


St. Johns County  
Administrative Code



Human Resources Section



**St. Johns County Administrative Code  
Section: Human Resources**

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



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<b>Title:</b>	<b>401 Introduction</b>	<b>Issued: April 1992</b>
<b>Reference: F.S. 125.74, SJC 2006-128, &amp; SJC 2023-23</b>		<b>Revised: August 2007</b> <b>June 2012</b> <b>January 2023</b>

**401.1 Purpose**

The purpose of this policy is to provide overall guidance 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 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 collective bargaining unit are governed by the terms of the applicable 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 Resolutions 2006-128 and 2023-23 authorizes the County Administrator to make all administrative changes to the Administrative Code established by the Board of County Commissioners.



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<b>Title:</b>	<b>402 Employment</b>	<b>Issued: April 1992</b>
<b>Reference: F.S. 435, F.S. 295, SJC 2003-64 FAC 55A-7</b>		<b>Revised: August 2007 June 2012 January 2023</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, sexual orientation, gender identity, ancestry, veteran or current military status, marital status, age, disability, pregnancy or other related medical condition, genetics, or other consideration protected by federal, state or local law. The Board of County Commissioners has adopted an Equal Employment Opportunity Plan, which outlines its goals and responsibilities, and the implementation process may be reviewed by contacting the County’s EEO Officer, the Human Resources Director.

**402.2 Recruitment**

St. Johns County selects the best and most fully qualified applicants for position vacancies. Position vacancies are advertised through Human Resources and are posted on the Internet. The only means to apply for a vacant position is electronically via the Online Application System (OAS).

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 the best interest of the County. The Board of County Commissioners shall approve all Department Director New Hires.

**402.3 Job Postings**

The County believes in promoting employees from within and utilizes a web-based platform to advertise positions. All regular full time and regular part time employees have an opportunity to apply for positions in which they are interested.

**402.4 Veterans’ Preference**

St. Johns County values the service and skills of veterans and complies with the Florida 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.

Florida Statutes, Chapter 295, 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 Florida Statutes, Chapter 295, and Chapter 55A-7, F.A.C., in determining eligibility for Veterans’ Preference, along with the County’s Veterans Recruitment Plan (update to



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F.S. 295 on 7/1/21) that establishes annual goals for ensuring the full use of Veterans in our workforce.

### **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.

### **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 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.

### **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 Human Resources Department. During this mandatory training, each employee will



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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 and the delivery of services to the community. Employees are expected to be at work at the time scheduled except when prior permission for absence has been approved by the Department Director or designee or when serious illness or other emergencies occur.

#### **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.

#### **402.15 Personnel Files**

The Human Resources 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 Human Resources to schedule a time for review. To maintain up-to-date files, Human Resources 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 accurately record all hours worked by each employee in the electronic timekeeping system, 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 Human Resources 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



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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.

### **402.18 Exit Interviews**

Employees separating from the County will have the opportunity to participate in an exit interview with a representative from the Human Resources Department. 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. Information shared in the exit interview process shall be documented and retained in order to trend data and help provide generalized feedback to the department.



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<b>Title:</b>	<b>403 Volunteers</b>	<b>Issued: January 2006</b>
<b>Reference: Fair Labor Standards Act (FLSA)</b> <b>F. S. 435</b>		<b>Revised: April 2008</b> <b>June 2012</b> <b>January 2023</b>

**403.1 Policy**

Under the Fair Labor Standards Act (FLSA), 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) hours in a week.

County employees are not permitted to volunteer in any County department or office without prior approval from their Department Director and verification from the Human Resources 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.

**403.2 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

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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<b>Title:</b>	<b>404 Compensation</b>	<b>Issued: April 1992</b>
<b>Reference: Fair Labor Standards Act (FLSA) F.S. 121.021 &amp; F.S. 215.425, F.S.448.110</b>		<b>Revised: August 2007 June 2012 January 2023</b>

**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, education and training needed for recruiting into the classification.

**404.4 Responsibilities**

The Human Resources 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.
- 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.



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Department Directors 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 Human Resources Director is informed of all new and changed jobs in order for the Human Resources Department to analyze, audit and establish appropriate classifications.
- Recommending revisions to compensation administration policies, procedures, and practices to the Human Resources Director when necessary.

#### **404.5 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.

#### **404.6 Amendments**

Revised pay ranges will be considered by the Human Resources 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 Human Resources Director to the County Administrator after full review by the Office of Management and Budget.

#### **404.7 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.

#### **404.8 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.

#### **404.9 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.

Any nonproductive time off, such as a holiday, sick leave, jury duty, birthday day off, personal leave,



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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 unless specified in a Collective Bargaining Agreement.
- Employees who, without a legitimate excuse, refuse to work overtime shall be subject to disciplinary action.

#### **404.9.1 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.

#### **404.10 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.

#### **404.11 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.

#### **404.12 Errors**

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

#### **404.13 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, St. Johns County policies and per collective bargaining agreements.

#### **404.14 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 Section 215.425 of Florida Statutes. Groups are not eligible for a Performance Award.



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### **404.15 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.

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.

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.

### **404.16 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 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. Probationary status may only be extended or reduced with the approval of the Human Resources 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. Regular Full Time employees shall receive vacation leave, sick leave, group health insurance and the voluntary life policies.



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#### 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. Regular Part Time employees who are regularly scheduled for twenty (20) to twenty-nine (29) hours per week on a regular basis shall receive vacation leave, sick leave or other types of leave on a pro rata basis and are not eligible for group health insurance and the voluntary life policies.

#### 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 Human Resource 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.

#### **404.17 Time Records**

An electronic 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 approved by the employee and verified by the supervisor. 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 records and associated leave records shall be kept by each Department for a period of three (3) years for audit purposes.

#### **404.18 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.

#### **404.19 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.

#### **404.20 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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<b>Title:</b>	<b>405 Benefits</b>	<b>Issued: April 1992</b>
<b>Reference: Florida Statute, Section 215.425 County Ordinance No. 1993-2</b>		<b>Revised: June 2012 January 2023</b>

**405.1 Workers’ Compensation**

St. Johns County provides Workers’ Compensation insurance benefits to all employees and volunteers who are injured in the course and scope of work for the Board of County Commissioners. Employees and volunteers shall immediately report any injury arising out of the course of work so that the Workers’ Compensation provisions of Florida law can be triggered.

**405.2 Group Health Benefits**

The Board of County Commissioners administers group health benefits for employees, which include medical, prescription, dental and vision. All regular full-time employees who work thirty (30) hours or more per week are eligible for coverage under the County’s group health benefits. Coverage begins the first day of the month following sixty (60) days of employment and terminates the last day of the month in which employment is terminated. Employees electing coverage for themselves or legally eligible dependents are responsible for paying their share of premium costs on a pre-tax basis through payroll deduction.

**405.2.1 Continuation of Benefits under Consolidated Omnibus Budget Reconciliation Act (COBRA)**

Under COBRA, employees who separate from the County, in an approved leave of absence status of greater than six months or have their work hours reduced resulting in the employee or their covered dependents being ineligible to participate in group health benefits, may be entitled to continue coverage for a limited period of time. Employees must meet the applicable requirements, make a timely election, and pay the proper amount required to maintain coverage.

**405.2.2 Continuation of Retiree Benefits under Florida Retirement System (FRS)**

Employees who have St. Johns County health insurance coverage at the time they retire, apply for retirement benefits from FRS, and provide proof of receiving FRS retirement benefits, are eligible to continue group health benefits. Retirees who decline to continue benefits at retirement may not be eligible to elect coverage at a later date. Medicare eligible retirees and spouses must enroll in Medicare Parts A and B to continue coverage. Covered spouses may be eligible to remain on the plan following death of the retiree.

**405.3 Life and Long-Term Disability Insurance**

All regular status full-time employees who work thirty (30) hours or more per week are covered by the County’s group life and long-term disability insurance benefits program. Coverage begins at the first day of the month following sixty (60) days of employment and terminates the last day of the month in which employment is terminated.

**405.4 Employee Assistance Program**

The Employee Assistance Program (EAP) benefit is a confidential behavioral health program available to all self-referred County employees and eligible members of their immediate family with complete anonymity. Mandatory referral to the EAP may only be authorized by the Human Resources Director or designee. Employees who are mandatorily referred to the EAP will not have their position jeopardized because of the referral.





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### **405.5 Retirement Plan**

St. Johns County employees participate in and contribute to the Florida Retirement System (FRS) to assist employees in post-employment years. Employees qualify for retirement benefits as defined by Florida Statute and described in the retirement guide issued by the FRS.

### **405.6 Deferred Compensation**

St. Johns County offers deferred compensation (an additional retirement savings plan under Internal Revenue Code Section 457b) with a Roth option to assist employees in post-employment years. Employees may elect to contribute a portion of their salary on a pre-tax or post-tax basis up to a maximum set by the Internal Revenue Service.



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<b>Title:</b>	<b>406 Training and Continuing Education</b>	<b>Issued: April 1992</b>
<b>Reference:</b>		<b>Revised: August 2007 January 2023</b>

### **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**

The Human Resources Department is responsible for providing opportunities for training and education to all County employees and supporting the achievement of 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 coordinating and documenting the training. Newly-hired employees shall participate in an orientation program and other continuing education and training opportunities. Leadership development programs shall be an inherent element of supervisory and management development. 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 Human Resources 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.

### **406.4 Tuition Reimbursement**

Tuition reimbursement may be provided to County employees who complete degree-seeking educational course work from accredited institutions. Such educational courses must apply to the employee's field of work and directly contribute to the individual's professional development plan.

- Reimbursement for tuition shall not exceed approved amount per employee per fiscal year.
- Reimbursement requests shall be approved on a first come, first serve basis, subject to availability of funds.

### 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 Human Resources Department to avoid legal action of recovery.





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<b>Title:</b>	<b>407 Risk Management and Safety</b>	<b>Issued: January 2006</b>
<b>Reference: Accident Reporting and Workers' Compensation</b>		<b>Revised: September 2010 June 2012</b>

**407.1 Purpose**

The Risk Management policy is designed to provide safe and healthy work conditions for all employees and volunteers; 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 are covered under the County's Workers' Compensation and liability insurance policies.

**407.3 Policy**

The County's goal is to provide its employees a workplace that is healthy and safe. The loss that accompanies injuries and accidents can be avoided by thorough safety efforts and good supervision. Safety is part of everyone's job. Risk Management recognizes that the basic responsibility of personal safety is with each employee and the County should develop sufficient standards and cost-effective programs to support successful outcomes.

**407.4 Risk Management Policy**

The County's Risk Management and safety policies for specific types of work and job classifications are available in the Employee Handbook.

**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 notify Risk Management as soon as possible and then complete the St. Johns County Accident/Incident Report within twenty-four (24) hours. The report must be sent to Risk Management with the supervisors' report.

Employee or volunteer injuries must be reported to the appropriate 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. Contact Risk Management for further information.

**407.6 Post-Accident Drug Screening**

Anytime an employee is involved in a work-related accident/injury or there is damage to County or private property, regardless of the severity or significance, the employee(s) involved may be drug tested immediately. Refusal to submit will result in immediate termination. The post-accident drug screening policy is outlined in the Employee Handbook.



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### **407.7 Vehicle Accidents**

Employees involved in traffic accidents must have a law enforcement report completed at the scene. Law enforcement reports must be submitted with the Accident/Incident Report to Risk Management within twenty-four (24) hours regardless of completeness. Employees involved in an at-fault traffic accident may not be permitted to drive a County 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.



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<b>Title:</b>	<b>408 Leave</b>	<b>Issued: April 1992</b>
<b>Reference: DOL, FMLA, USERRA, SJC RES. 82-30, F.S. 110.121, F.S. 741.313, #2038 CBA, #3865 CBA</b>		<b>Revised: August 2007 June 2012 January 2023</b>

Leave provisions are applicable to all employees of the Board of County Commissioners. Any exception to a provision as covered under a collective bargaining agreement (CBA) is indicated as *[unless otherwise specified]*.

**408.1 Administrative Leave Paid/Unpaid**

Administrative Leave, excluding court time, is authorized at the discretion of the County Administrator or designee. Employees who are placed on Administrative Leave are temporarily relieved of their normal job responsibilities and may/may not be eligible to receive pay based on their regular work schedule.

**408.1.1 Court Time**

Employees who are summoned or subpoenaed to represent a County department as a witness or defendant are not considered on administrative leave. Their appearance is considered as part of the employee's regular job assignment. Employees will be eligible to be paid for incurred per diem and travel expenses after depositing any funds received from the court to Finance. 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.

Employees summoned to jury duty will be eligible to receive administrative leave with pay after depositing any funds received from the court to Finance. The County will not reimburse employees for incurred per diem and travel expenses for having served as a juror.

**408.1.2 Voting Time**

Full time and part time employees may be granted one (1) hour of administrative leave with pay for the purpose of voting during their regularly assigned work schedule for the period of early voting or on Election Day. Employees shall not be granted administrative leave with pay for the purpose of working polls during elections.

**408.2 Bereavement Leave**

Full time and part time employees may be granted up to three (3) days of bereavement leave with pay when a member of the employee's immediate family dies or up to five (5) days if the funeral is more than five hundred (500) miles roundtrip from St. Johns County *[unless otherwise specified]*. Bereavement leave is paid based on the employee's regularly scheduled work hours. For purposes of this subsection only, "immediate family" is defined as the employee's spouse; child, foster child, step-child; parent, parent-in-law, step-parent; sibling, sibling-in-law, step-sibling; grandparent, grandparent-in-law, step-grandparent, grandchild, and step-grandchild.

Departments may request the name of the deceased individual, the employee's relationship to the deceased, the date of death, and certification prior to approval of bereavement leave. The Department Director, with approval from the Human Resources Director, may grant additional bereavement leave not outlined in this policy.



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**408.3 Birthday Leave**

Full time employees are granted one (1) paid day off per fiscal year in observance of their birthday, not to exceed eight (8) hours *[unless otherwise specified]*. New full-time employees are eligible to take birthday leave during the six (6) month introductory period. Part time employees are not eligible for birthday leave.

Birthday leave may be taken at any time in the fiscal year but may not, under any circumstance, be carried forward into the following fiscal year. The County will endeavor to grant the employee's preference as to date of birthday leave; however, the approval shall be at the discretion of the department in order to maintain effective operations.

**408.4 Holidays**

Official holidays observed by St. Johns County:

New Year's Day	January 1 <sup>st</sup>
Dr. Martin Luther King, Jr.'s Birthday	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Good Friday	Friday before Easter
National Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	1 <sup>st</sup> Monday in September
Veteran's Day	November 11 <sup>th</sup>
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Thanksgiving Friday	4 <sup>th</sup> Friday in November
Christmas Eve	December 24 <sup>th</sup>
Christmas Day	December 25 <sup>th</sup>

The St. Johns County Board of County Commissioners may also declare holiday leave on any other day. Holidays falling on a Saturday will be observed on the preceding Friday. Holidays falling on a Sunday will be observed on the following Monday. To be eligible to receive holiday pay, 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, paid day off is considered a day worked for purposes of holiday pay eligibility.

- Full time employees shall be paid no more than eight (8) hours for all holidays approved by the Board *[unless otherwise specified]*.
- Part time employees shall be paid no more than the number of hours normally scheduled to work if the holiday falls on their normal workday, not to exceed eight (8) hours.

**408.5 Vacation Leave**

Vacation leave shall be considered an earned benefit. Full time and part time employees will accrue vacation hours each pay period over twenty-six (26) pay periods *[unless otherwise specified]*. The amount of vacation which an employee accrues depends on their status and length of continuous years of service completed.

- Part time employees accrue vacation hours on a prorated basis of 3.0770 each pay period, regardless of length of continued service.
- Full time employees hired prior to January 1, 1997, accrue vacation hours on a basis of 9.2307 each pay period up to 30 days per year *[unless otherwise specified]*.



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- Full time employees hired on or after January 1, 1997, accrue vacation as follows [*unless otherwise specified*]:

Years of Service Completed	Up to Days Per Year	Hours Per Pay Period
0 to 3	10	3.0770
4 to 10	15	4.6160
10+	20	6.1540

- Employees who move from one Board of County Commissioners position to another retain their leave anniversary date and accrued vacation leave balance, provided there is no break in employment.
- Employees on an approved leave of absence may continue to earn vacation hours each pay period.
- Vacation 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.

**408.5.1 Use of Accrued Vacation**

Use of vacation hours may not be requested prior to accrual. Vacation should be used to provide a periodic time away from work; however, earned vacation hours may be used for any purpose when authorized by the employee's Department Director or designee. 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.

New employees may use accrued vacation hours starting on the first day following six (6) months of employment. Regular status employees who have been promoted or transferred into another Board of County Commissioners position may request to use their available vacation hours while on a probationary status.

**408.5.2 Payment for Accrued Vacation**

Vacation hours are paid at the employee's current rate of pay. Unused vacation may be accumulated to a maximum of two hundred forty (240) hours annually with the exception of Senior Management [three hundred twenty (320) hours] and 24/48 Personnel [three hundred sixty (360) hours]. Employees may accumulate leave above the maximum hours, but on the last full pay period in the calendar year, any excess leave will be forfeited, with the exception of Senior Management.

- Full time and part time employees who leave the employment of the County as a result of a voluntary resignation or retirement may be paid for unused accrued vacation hours up to the annual accumulated maximum. 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 will be forfeited unless otherwise determined by the County Administrator.
- Full time and part time employees who leave the employment of the County as a result of a layoff or reduction in force shall be paid for unused accrued vacation hours up to the annual accumulated maximum.
- New employees who terminate their employment before completing the six (6) month introductory period forfeit all accrued vacation leave.

Payments for unused accrued vacation will be made in a lump sum. In the case of the employee's death, payment for accrued vacation will be made to the employee's estate or as otherwise provided by law.

**408.5.3 Unforeseen Emergency**

In an unforeseen emergency situation, employees who have completed one (1) year of employment may



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request to be paid up to a maximum of forty (40) hours [*unless otherwise specified*] of their vacation hours per fiscal year. Approval for the request is at the discretion of the County Administrator and dependent on employee provided documentation, subsequent to recommendations from the Department Director and Human Resources.

#### **408.5.4 Charitable Vacation Donation**

Employees may donate up to twenty-four (24) hours of their accrued vacation leave to the United Way of St. Johns County each fiscal year. 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.

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. The option for charitable giving provided under this policy is subject to review and cancellation at any time by the County.

#### **408.6 Sick Leave**

Sick leave shall be considered an earned benefit. Full time and part time employees will accrue sick leave each pay period over twenty-six (26) pay periods. The amount of sick leave which an employee accrues depends on their status.

- Part time employees who work less than a forty (40) hour work week earn sick leave on a prorated basis.
- Full time employees who are not in a temporary status earn 3.6960 hours of sick leave every pay period for eighty (80) hours of work [*unless otherwise specified*].
- Employees who move from one Board of County Commissioners position to another retain their leave anniversary date and accrued sick leave balance, provided there is no break in employment.
- Employees on an approved leave of absence may continue to earn sick hours each pay period.
- 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.

#### **408.6.1 Use of Accrued Sick Leave**

Use of sick leave may not be requested prior to accrual. Sick leave may only be used with the approval of the employee's Department Director or designee for the following qualifying purposes:

- Employee's own personal illness, injury, scheduled health related appointment, or exposure to a contagious disease.
- Employee's care of an immediate family [defined as spouse, child, or parent] who is ill, injured, convalescing or for a scheduled health related appointment.
- Employee has reported for work, but in the judgment of the supervisor is unable to work due to personal illness, injury, or exposure to a contagious disease.

Employees must notify their immediate supervisor of any planned use of sick leave as soon as they are aware of the need and are expected to make a reasonable effort to schedule appointments so as not to unduly disrupt department operations. For any unplanned use of sick leave, employees must notify their immediate supervisor no later than the first hour of the first day of the absence unless otherwise directed by the department. The Department may require the employee to submit a physician's note upon return to work or after three (3) consecutive workdays of absence before authorizing additional use of sick leave. If the employee is unable to return to work after all sick leave has been exhausted, the employee must use accrued vacation leave before being placed in a leave without pay status.





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New employees may use accrued sick hours starting on the first of the month following six (6) months of employment. Regular status employees who have been promoted or transferred into another Board of County Commissioners position may request to use their available sick hours while on a probationary status.

#### **408.6.2 Payment for Accrued Sick Leave**

Sick hours are paid at the employee's current rate of pay. Unused sick leave may be accumulated to a maximum of twelve hundred (1,200) hours *[unless otherwise specified]*.

- Full and part time employees with at least six (6) years of continuous service, who leave the employment of the County as a result of a voluntary resignation or retirement, may be paid for one-fourth (1/4) of all unused accrued sick leave, not to exceed three hundred (300) 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 sick leave will be forfeited unless otherwise determined by the County Administrator.
- Full and part time employees with at least six (6) years of continuous service, who leave the employment of the County as a result of a layoff or reduction in force, may be paid for one-fourth (1/4) of all unused accrued sick leave, not to exceed three hundred (300) hours.
- Employees who separate from the County with less than six (6) years of continuous service will forfeit any unused sick leave.

All such payments for unused sick leave will be made in a lump sum. 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.

#### **408.7 Leave of Absence**

A leave of absence is any authorized extended absence from work for medical, military or domestic violence related reasons. Employees may be eligible for up to a maximum of one hundred and eighty (180) calendar days of leave during any 12-month period except as allowed for military leave under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

##### **408.7.1 Requesting Leave and Complying with County Policy**

Employees must comply with County's guidelines for requesting a leave of absence and provide enough information for the County to reasonably determine whether the Family Medical Leave Act (FMLA), USERRA, or Domestic Violence law may apply to a request.

- Employees generally must request leave thirty (30) days in advance when the need for leave is foreseeable or as soon as possible if the leave is unforeseeable.
- The County may require certification in support of the leave of absence request and annual recertification for a recurring request.
- Employees must report on their status and intent to return to work as required while on a leave of absence.

##### **408.7.2 Scheduling of Intermittent Leave**

If an employee needs an intermittent leave of absence, the employee must make a reasonable effort to schedule leave so as not to unduly disrupt department operations. Employees requesting intermittent leave 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 Human Resources. Upon return from approved leave, all reasonable efforts will be made to place the employee in their former position. In the event this is not possible, the employee will be provided with the opportunity to apply for vacant positions.



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### **408.8 Family and Medical Leave Act (FMLA)**

It is the County's policy to comply with all applicable laws that afford protection rights to employees who need family and medical leave, including the FMLA. The FMLA entitles eligible employees of the County to take up to twelve (12) work weeks of unpaid, job-protected leave in a defined twelve (12) month period for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. An eligible member may also qualify for Qualified Exigency Leave due to a spouse, son, daughter, or parent being on covered active duty or having been notified of an impending call or order to covered active duty in the armed forces. This benefit also provides up to twelve (12) workweeks of FMLA leave.

An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also care for the service member while they suffer from a serious injury or illness (referred to as Military Caregiver Leave). Under this type of FMLA leave, an employee is entitled to a maximum of 26 weeks of leave in a twelve (12) month period beginning on the first day that the employee takes this form of leave.

#### **408.8.1 FMLA Eligibility**

Employees are eligible if they have worked for the County for at least 12 months and have at least one thousand two hundred fifty (1,250) hours of service with the County during the twelve (12) month period immediately preceding the leave. All leave covered by Workers' Compensation will also be counted as FMLA leave to the extent the leave qualifies as permitted by law.

#### **408.8.2 Measuring the FMLA 12-Month Period**

The County has established the twelve (12) month period as a rolling 12-month period measuring backward from the first date an employee uses FMLA leave. Each time an employee takes FMLA leave, the remaining entitlement is the balance of the twelve (12) weeks that has not been used during the preceding twelve (12) month period.

#### **408.8.3 Leave Increments for Child Birth, Adoption, or Foster Care Placement**

Leave taken for bonding with the employee's child must be taken as a continuous block of leave and cannot be taken intermittently. However, the employee may be entitled to intermittent leave to attend counseling sessions, appear in court, consult with their attorney or the birth parents' representative(s), or for travel to complete an adoption before the actual placement. An employee's entitlement to leave for bonding expires twelve (12) months after the date of the birth, adoption, or placement of the child. Eligible spouses who both work for the County are limited to a combined total of twelve (12) workweeks of leave in a twelve (12) month period for the birth and bonding of a newborn child or the placement of a child with the employees for adoption or foster care.

#### **408.8.4 Health and Supplemental Insurance Coverage**

If an employee is enrolled in group health and supplemental insurance, the employee is entitled to the continuation of insurance coverage during leave, on the same terms as if they had continued to work. The County will pay its portion of the premium for insurances in force in accordance with other County policies. The employee must make any normal contributions to the cost of the health and supplemental insurance premiums through payroll deduction. An employee on unpaid leave must make arrangements to pay the normal employee portion of insurance premiums in order to maintain insurance coverage. Failure to do so may result in termination of coverage.

#### **408.8.5 Substitution with Accrued Leave and Return to Work**

The County requires employees to use accrued sick and vacation leave while on applicable family and medical





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leave including supplementation of any non-paid leave. Employees must follow the County's normal leave guidelines in order to substitute paid leave.

Employees returning from leave for their own serious health condition must provide certification from their health care provider that states they are able to resume work and perform the essential duties of their regular job. If an employee is not able to perform all the essential duties of their regular job and would like to request transitional duty, any restrictions must be discussed and approved by the department and Human Resources.

#### **408.9 Military Service Leave**

It is the County's policy to comply with all applicable laws that afford protection rights to employees serving duty with the military, the Reserve and National Guard, including the Uniformed Services Employment and Reemployment Rights Act (USERRA). It is the responsibility of the employee to notify their department and Human Resources of upcoming military duty by providing a copy of official orders or appropriate military certification as soon as possible.

Employees who require time off work to fulfill military obligations shall be entitled to a leave of absence from their position with eligible pay during the period in which the employee is engaged in annual field training, coast defense exercise, or other active duty or training exercises, or who is ordered by the Selective Service Board to appear for an examination for induction into the military service. The County will utilize the fiscal year for the purpose of complying with annual leave calculation and pay.

#### **408.9.1 Health and Supplemental Insurance Coverage**

If an employee is enrolled in group health and supplemental insurance, the employee is entitled to the continuation of insurance coverage during leave, on the same terms as if they had continued to work for up to twenty-four (24) months under USERRA. The County will pay its portion of the premium for insurances in force in accordance with other County policies. The employee must make any normal contributions to the cost of the health and supplemental insurance premiums through payroll deduction. An employee on unpaid leave must make arrangements to pay the normal employee portion of insurance premiums in order to maintain insurance coverage. Failure to do so may result in termination of coverage.

#### **408.9.2 Substitution with Accrued Leave and Return to Work**

Under the USERRA an employee may elect to use accrued vacation while on military service leave. Upon an employee's return from military service, they will be eligible for reinstatement as provided in the USERRA. The employee must report to work and provide the County with a discharge certificate of satisfactory completion of service within the time period dictated by the USERRA.

#### **408.10 Domestic Violence Leave**

Employees who have worked for the County for at least three (3) months may request to take up to three (3) working days of leave from work in any twelve (12) month period if the employee or a family or household member of the employee is the victim of domestic violence or sexual violence. Such leave may be for the purpose of seeking an injunction or legal services for protection against domestic violence, obtaining medical care or mental health counseling to address physical or psychological injuries resulting from the act of domestic violence, or obtaining services from a victim services organization.

Employees may use accrued sick and vacation while on domestic violence leave including supplementation of any non-paid leave. Employees must follow the County's normal leave guidelines in order to substitute paid leave.



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#### **408.11 Sick Pool**

Full time employees who have completed one (1) continuous year of employment with the Board of County Commissioners may voluntarily elect to participate in a sick pool to have access to a source of additional hours in the event they exhaust their own leave balances.

##### **408.11.1 Membership**

Eligible employees must have a minimum of eighty (80) hours of combined sick and vacation leave and submit a pool agreement form to join the sick pool. Employees must donate forty (40) hours of sick and/or vacation leave to join or rejoin the pool [*unless otherwise specified*]. Leave hours donated to join or remain active in the pool are permanently forfeited. Employees may be required to donate eight (8) hours to the pool annually to maintain membership.

##### **408.11.2 Use of Pool Hours**

Employees must submit a request along with certification from a health care provider to Human Resources for approval of use. Employees must exhaust all accrued sick and vacation hours prior to using pool hours and may only use a maximum of two hundred (200) pool hours in a calendar year [*unless otherwise specified*]. Pool hours may only be used after employees have been absent for five (5) continuous work days, and in cases of illness, accident, or injury to self, but not for absences relating to Workers' Compensation or intermittent leave.

Unused pool hours shall not be transferred or converted to cash upon the employee's transfer to a position not eligible for such benefit or separation (under any condition). Substantiated abuse of pool use may result in the revocation of membership and repayment of hours.

#### **408.12 Compassionate Leave**

Compassionate hours are a means to offset financial challenges in the event an employee exhausts their own leave balances due to acute illness, accident, or injury to self or to serve as the primary caregiver to an immediate family member [defined as the employee's spouse, child or parent]. Approval for use of compassionate hours is at the discretion of the County Administrator.

##### **408.12.1 Donors**

Employees must complete their six (6) month introductory period and submit a donor form to be able to voluntarily donate vacation hours to an approved recipient. Employees must donate a minimum of eight (8) hours and have at least eighty (80) hours remaining after the donation. Donated hours are transferred from the donor to the recipient as needed.

##### **408.12.2 Recipients**

Employees must complete their six (6) month introductory period, submit a request form to their department director for review and provide certification from a health care provider to Human Resources. Employees may not directly or indirectly solicit donations. If approved, employees must exhaust and continue to exhaust all accrued sick, vacation, and sick pool hours (if applicable) prior to receiving donated hours. Employees may receive a maximum of two hundred forty (240) donated hours with the exception of Senior Management [three hundred twenty (320) hours] and 24/48 Personnel [three hundred sixty (360) hours] in any six (6) month period from the first date of use.



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<b>Title:</b>	<b>409 Conduct</b>	<b>Issued: April 1992</b>
<b>Reference: F.S. 112</b>		<b>Revised: August 2007 June 2012 January 2023</b>

**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. Messages sent to the "Everyone Group," "BCC All Group," and the County Message Board must be approved by the County Administrator or designee.

**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 his/her designee. Employees wishing to announce events and non-profit fundraisers must obtain permission from the County Administrator, or designee, prior to posting.



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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.

#### **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.

#### **409.11 Outside Employment**

Employees who engage in secondary employment may not allow that employment to 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 Human Resources using the designated form. Outside employment may not:

- Conflict with the employee's duties with the County.
- Have an association with any business that has an unfavorable or questionable 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 personal calls that incur cost 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 Comptroller's 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.

#### **Cellular Phone Use in Vehicles**

The policy and procedure for the safe use of cellular devices in vehicles is located in the Employee Handbook.

### **409.15 Computer Use**

Any employee using a St. Johns County computer is considered a user, and is obliged to comply with the 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 the Computer Use Policy. A Policy Acknowledgement form must be completed by every user and shall be maintained in each employee's personnel file.

### **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.
- Use of alcoholic beverages or narcotics while engaged in County business.
- Reporting to work intoxicated or under the influence of non-prescribed drugs.



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- 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.
- Purposely Damaging to County property

#### **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 Human Resources Director or designee prior to such action. Disciplinary action (verbal or otherwise) must be documented on the Corrective Action form and submitted to Human Resources for inclusion in the employee's personnel file. The County Administrator reserves the right to modify disciplinary action as necessary.

#### **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 in the employee handbook, 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.

#### **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.



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**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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<b>Title:</b>	<b>410 Senior Management Service</b>	<b>Issued: April 1992</b>
<b>Reference: F.S. 121.055</b>		<b>Revised: December 2006 June 2012 January 2023</b>

### **410.1 General Provisions**

Florida Statute dictates the number of positions that may be designated Senior Management Service Class (SMSC) 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 Class shall be subject to suspension, dismissal, reduction in pay, demotion, increases in pay, 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 Class positions. Appraisals are performed at minimum once each fiscal year.

### **410.3 Attendance and Leave Provisions**

The County Administrator shall establish the work hours and leave provisions for employees in SMSC.

### **410.4 Benefits**

SMSC employees receive all of the benefits afforded by the Florida Retirement System. Subject to the appropriation of funds, the County shall pay health premiums for each full time SMSC employee.

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 SMSC employees with a county vehicle, monthly car allowance, or monthly mobile device allowance.





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<b>Title:</b>	<b>411 Prohibition of Unlawful Harassment</b>	<b>Issued: January 2006</b>
<b>Reference: U. S. Code Title VII</b>		<b>Revised: June 2012 January 2023</b>

**411.1 Commitment**

St. Johns County is committed to maintaining a work environment free of harassment on the basis of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (over 40), marital status, disability, and/or 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, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (over 40), 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, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (over 40), 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, sex (including pregnancy, gender identity, and sexual orientation) gender, national origin, age (over 40), 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 purport 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 anyone 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, 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**

All managers and supervisors shall be responsible for immediately notifying the Human Resources Department of any complaints of harassment since knowledge by management is legally construed as knowledge by the County. 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.



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<b>Title:</b>	<b>412 Drug Testing</b>	<b>Issued: April 1992</b>
<b>Reference: F.S 440.102 &amp; F.S. 397.311</b>		<b>Revised: August 2007</b>

### **412.1 Purpose**

The St. Johns County Board of County Commissioners has a vital interest in maintaining safe, healthy and efficient working conditions for its employees. Being under the influence of drugs or alcohol on the job may pose serious safety and health risks, not only to the user and to those who work with the user, but also to the public. The possession, use or sale of an illegal drug or alcohol in the workplace also poses unacceptable risks for safe, healthful and efficient operations. The St. Johns County Board of County Commissioners recognizes that its ability to provide a safe and satisfactory level of service to the citizens of St. Johns County is dependent upon the physical and psychological health of our employees. Accordingly, it is the intent of the County to maintain a safe working environment, protect County property and equipment, and facilitate efficient operations. With these basic objectives in mind, the County has established a Drug-Free Workplace Policy to include drug and alcohol testing for County Commission employees and candidates seeking employment. There is a zero tolerance for drug and alcohol abuse in the workplace. County employees will be subject to disciplinary action up to and including termination, even for the first offense if they test positive for the presence of illegal drugs and/or alcohol in their system, or if they are found in possession of, under the influence, selling, trading, offering for sale illegal drugs, or engaged in any illegal drug usage (whether on or off the job).

The purpose of this policy is to define the St. Johns County Board of County Commissioner's position regarding employees whose job performance is adversely affected by alcohol and/or drug abuse, or engaging in illegal drug activity. Both subjects are addressed in the Employee Handbook containing the Drug-Free Workplace Policy with oversight from the Human Resources and Risk Management Department. All employees shall sign an Acknowledgment Form stating that they have received and read a copy of this procedure when they are hired. Being under the influence of alcoholic beverages, or possession or being under the influence of illegal drugs on County property or any work site, or while on duty is a serious violation of this policy, and will subject the employee to disciplinary action up to and including termination. An employee will be required by their supervisor to submit to a blood/urine or other test for alcohol or illegal drug if reasonable suspicion exists to believe the employee is under the influence of alcohol or drugs. Other testing may be required as set forth in any separate drug-testing policy. Employees who are directed to submit to tests for alcohol or illegal drugs under these circumstances and who test positive or refuse or fail to submit to these tests when and as directed, through Risk Management, will be subject to immediate termination. Employees who are convicted or sentenced for illegal drug/alcohol activity on or off the job will be considered in violation of this policy and subject to termination of employment. Employees must notify their supervisor of any criminal statute conviction or when under medically prescribed treatment with a controlled substance that may limit their ability to perform their job. The complete Drug Free Workplace policy can be found in the Employee Handbook. Contact Risk Management for further information.

### **412.2 Types of Testing**

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

- Job Candidate Substance Abuse Testing.
- Current Employee Substance Abuse Testing.



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- Routine Fitness-for-Duty Testing.
- Reasonable Suspicion Testing.
- Post-Accident/Injury Testing.
- Random Testing.
- Return-to-Duty Testing.
- Follow-up Testing.



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<b>Title:</b>	<b>413 Reduction in Force</b>	<b>Issued: December 2006</b>
<b>Reference:</b>	<b>F.S. 215.425</b>	<b>Revised: June 2012</b>

**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 Human Resources 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 Human Resources Director may determine this policy does not apply where employees receive another job within the Board of County Commissioners or St. Johns County Government. Further details regarding construction of the plan can be found in the Employee Handbook.