

**Lee County Board Of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20020769

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Adopt revisions to the following Lee County Policies: Definitions (#002), Use of Communication Systems (#208), Hiring (#301), Transfer (#305) & Promotion (#306). Adoption of the resolution to amend Administrative Code 6-1.

**WHY ACTION IS NECESSARY:**

Brings current policies up to date and unifies provisions.

**WHAT ACTION ACCOMPLISHES:**

Updates policies that did not meet the needs of the organization and brings unified policies into effect.

**2. DEPARTMENTAL CATEGORY:**  
**COMMISSION DISTRICT #:** Countywide **C6F**

**MEETING DATE:** **07-09-2002**

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE 6-1
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER \_\_\_\_\_
- B. DEPARTMENT Human Resources
- C. DIVISION \_\_\_\_\_
- BY: George A. Williams, Director

**7. BACKGROUND:**

Ongoing process to update and revise Policies and Procedures Manual.

**8. MANAGEMENT RECOMMENDATIONS:**

Adopt revisions.

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>George A. Williams 6/24/02</i>				<i>Andrea Bassel</i>	<i>RK 6/25</i>	<i>AS 6/25/02</i>	<i>JS 6/26</i>	<i>AS 6/25/02</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- \_\_\_\_\_ APPROVED
- \_\_\_\_\_ DENIED
- \_\_\_\_\_ DEFERRED
- \_\_\_\_\_ OTHER

REC'D.  
BY CO. ATTY.  
6/24/02  
11:52 AM  
CO. ATTY. (2510)  
FORWARDED TO:  
*Bassel*  
4:30pm

RECEIVED BY  
COUNTY ADMIN. *RK*  
6/25 4:20  
COUNTY ADMIN.  
FORWARDED TO:  
6/26 2:06

**ADMINISTRATIVE CODE  
BOARD OF COUNTY COMMISSIONERS**

<b>CATEGORY:</b> Human Resources/Employees	<b>CODE NUMBER:</b> AC-6-1
<b>TITLE:</b>  Personnel Policies and Procedures Manual (Appendix "A")	<b>ADOPTED:</b> 8/3/88
	<b>AMENDED:</b> 5/11/94; 6/6/00; 6/27/00; 12/12/00; 12/19/00 5/08/01; 7/24/01; 11/13/01; 2/12/02; 6/4/02; 7/9/02
	<b>ORIGINATING DEPARTMENT:</b> Human Resources
<b><u>PURPOSE/SCOPE:</u></b>  This manual contains and describes all existing personnel policies, and was developed as a perpetual guideline for consistent interpretation of personnel policies.  This manual is part of this Administrative Code and is under separate cover as Appendix "A", Personnel Policies and Procedures Manual.  <b><u>POLICY/PROCEDURE:</u></b>	

**A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

**WHEREAS**, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

**WHEREAS**, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed amendments are acceptable, serve a public purpose and are consistent with the terms

and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**

**COMMISSIONERS THAT:**

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment(s) to the Lee County Administrative Code 6-1 (attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and,

being put to a vote, the vote was as follows:

ROBERT JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW COY	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ATTEST:**  
**CHARLIE GREEN, CLERK**

**BOARD OF COUNTY COMMISSIONERS**  
**OF LEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
**Deputy Clerk**

By: \_\_\_\_\_  
**Chairman**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
**Office of the County Attorney**

**Acting Assignment** - When an employee is temporarily appointed full-time to a classification with a higher pay grade.

**Alternate Duty** - Allows eligible employees to perform some work which is beneficial to the County when they are unable to perform the duties of their regular position; *only for those employees covered by Workers' Compensation Leave.*

**Compensatory Time** - Permits eligible non-exempt employees to take time off at the overtime rate (1.0 or 1.5) for each hour of work in excess of 40 hours during one workweek (in lieu of overtime pay).

**Compressed Workweek** - A full-time (40 hour) work schedule condensed into a 3- or 4-day workweek (e.g. four 10-hour days).

**Corrective Action/Disciplinary Procedure** - May include any or all of the following in an attempt to provide employees with notice of deficiency and an opportunity to improve: oral warning, written warning, suspension with pay (administrative leave), suspension without pay, termination.

**Designee Pay** - When an employee performs duties not part of the normal duties of their classification, the employee may receive a temporary increase. Usually designated for the purpose of filling in for the absence of a lead worker or supervisor.

**Dual Employment** - An employee holding a regular full-time or part-time Board-approved position who also holds a second position with the County of a temporary or on-call nature.

**Educational Assistance** - To provide reimbursement of tuition, books, lab fees, and registration fees of qualified courses to eligible employees, allowing them to enhance their ability to serve the public interest of the citizens of Lee County.

**Educational Leave** - To grant eligible employees a limited leave of absence without pay for those who want to continue their education in preparation for added responsibilities with Lee County Government.

**Exempt Employee** - An employee in this classification is not subject to the minimum wage and overtime requirements of the US Fair Labor Standards Act; and as such, is not required to fill out hourly time records and must be paid on a salary basis.

**Flexplace** - A work schedule which allows for part of the scheduled work hours to be worked offsite or at a satellite office (not to be considered telecommuting).

**Flextime** - A work schedule that permits flexibility in starting and quitting times without altering the required number of work hours in a given period (e.g. in a workweek) and usually specifies a core period of the day during which all employees must be scheduled.

**Full-time Employee** - Typically, an employee working 40 or more hours per workweek.

## DEFINITIONS

Policy Number 002

Page 2



**Grievance Procedure** - Allows employees to have the opportunity to participate in an objective process to settle disputes regarding corrective actions and performance.

**Harassment** - Verbal, nonverbal, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, national origin, age or disability, or that of his or her relatives, friends or associates, and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

**Hourly Employee** - A non-exempt employee who receives an hourly wage for work performed.

**Immediate Family - Bereavement Leave Policy** - Employee's spouse, child, parent, guardian, sibling, grandparent, grandchild, stepparent, stepchild, stepbrother, stepsister; and/or employee's spouse's child, parent, guardian, sibling, grandparent, or grandchild.

**Immediate Family - Family & Medical Leave, Sick Leave Policies** - Spouse, child (biological, adopted, and/or foster), and parent (biological).

**Incentive Pay** - A one-time lump sum payment to a regular employee who, *on their own time and without County assistance*, successfully obtains certifications, licenses, and/or accredited degrees that are directly related to their current job classification.

**Key Employee** - May be an exempt or non-exempt employee who has been designated by their department director to be assigned to work during emergencies or disasters.

**Moving Expenses** - Limited to the cost of packing and shipping of household goods constituting personal effects and property used, or to be used, in the employee's dwelling; also includes cost of truck rentals, gasoline, and lodging for those employees who choose to move themselves.

**Non-exempt Employee** - An employee in this classification is subject to the minimum wage and overtime compensation requirements of the US Fair Labor Standards Act; and as such, is required to fill out hourly time records.

**On-call Employee** - An individual who is hired for an *indefinite* period, but who normally works less than a 40-hour workweek. These employees are not eligible for paid absences, vacations or holidays. These employees typically work an irregular schedule with no set hours.

**Overtime Pay** - Paying eligible non-exempt employees at an overtime rate (1.0 or 1.5) of pay for all hours worked in excess of 40 hours during one workweek. If an employee uses any form of leave during a workweek (sick, vacation, etc.), their rate of pay will be one times their regular rate of pay, up to 40 hours.

**Part-time Employee** - Typically, an employee working less than 40 hours per week.

**Performance Evaluation** - An appraisal written by a supervisor about an employee, which should include praise for accomplishments, recommendations for improvement, and an action plan of goals for both the employee and supervisor for the next assessment period.

**Probationary Employee** - An individual who has completed less than six months of employment with the County.

**Reduction in Workforce** - The abolishment of Board-approved full- and/or part-time positions due to operational needs, re-organization, lack of work, outsourcing of functions, shortage of funds, or other reasons deemed appropriate by the County; not intended to be a short-term adjustment.

**Regular Employee** - An individual who is employed as a part-time or full-time employee in a Board-approved position.

**Relative - Hiring Policy** - An individual who is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

**Retirement Age or Date** - The age or date when an employee first becomes eligible to retire without a reduction of benefits by being vested and reaching age 62; or completing 30 years of creditable service regardless of age.

**Salaried Employee** - An exempt employee who receives the same pay from week to week, regardless of how many hours they work.

**Sexual Harassment** - Unwelcome, one-sided attention, sexual advances, requests for sexual favors, or other unwanted verbal or physical conduct of a sexual nature that may come from supervisors, managers, co-workers, citizens, or other individuals in the workplace or at any County-sponsored activity, program, party or trip whether at the work site or not - regardless of the gender of the parties involved.

**Shift Differential** - Allows for additional compensation to certain non-exempt employees for working other than "normal" business hours (second or third shift).

**Sick Leave Buy-Back** - Allows eligible employees who have 200 hours or more of accumulated, unused sick leave to sell back to the Board of County Commissioners any sick leave in excess of 200 hours which has been accrued, recorded, and available for use, but not used during the current fiscal year.

**Sick Leave Pool** - A voluntary fund of donated sick leave which has been established to provide limited additional sick leave benefits to participating members in the case of serious personal illness or injury.

**Stand-By Duty** - Assigned to certain non-exempt employees holding job classifications which are restricted to a designated location or premises in order to provide coverage for services and to handle emergencies during off-duty hours.



## DEFINITIONS

Policy Number 002

Page 4



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**Temporary Additional Duty** - When an employee is temporarily assigned additional duties which significantly increases their responsibilities, they may receive a temporary increase in their regular rate of pay.

**Temporary Employee** - An individual who is hired either part-time or full-time for a *limited* period, not to exceed six months of employment. These employees are not eligible for paid absences, vacations and holidays.

**Transfer** - Moving to another position in the same or lower salary range or from one location to another; may be of a voluntary or involuntary basis.

**Vesting** - The guarantee that an eligible employee will receive a future benefit after working a certain number of years.

**Policy:**

It is the policy of the County to provide or contract for the communication systems and equipment necessary for the conduct of its business.

**Comments/Procedures:**

**208:1 GENERAL PROVISIONS**

1. Employees should familiarize themselves with the numerous types of communication systems and equipment (facsimile machines, telephones, pagers, etc.) used by the County. Most of these services and equipment have usage charges or other related expenses. Employees should be aware of these charges and expenses and should exercise care in choosing the proper vehicle for each business communication. Employees should consult their supervisor if there is a question about the proper vehicle to use. (Use of County computers is covered in Computer Resources, Policy Number 204.)
2. Employees may use County communication systems and equipment for personal purposes on a limited basis. Employees must properly log any exceptional user charges and reimburse the County for them.
3. Employees who do not have direct access to a County telephone should make provisions to have emergency or other necessary incoming calls routed to their supervisor. The County will attempt to promptly and accurately relay personal messages to employees.
4. Employees are not to use the County's address for receiving personal mail and may not use County stationery or postage for personal letters. Employees should exercise care so that no personal correspondence appears to be an official communication of the County.

**USE OF COMMUNICATION SYSTEMS**

Policy Number 208

Page 2



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**Policy:**

It is the policy of the County to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability and ability to successfully complete assigned work.

**Comments/Procedures:**

**301:1 GENERAL PROVISIONS**

1. The County will try to fill job vacancies above entry level by promoting from within if qualified applicants are known to be available internally.

Supervisors and department directors who need to fill a regular full or part-time job vacancy, other than intra-department transfers or promotions, should submit a staffing requisition to Human Resources to request that the position be advertised and filled. All requisitions will be reviewed by Human Resources before the vacancy is posted.

On-call and temporary positions may be filled without the use of a staffing requisition form and do not need to be advertised, though all other employment procedures should be followed. If the hiring department elects to advertise a temporary or on-call position, a staffing requisition must be completed.

2. During the recruitment, hiring and orientation process, no statement is to be made promising permanent or guaranteed employment and no document should be called a contract unless, in fact, a written employment agreement is to be used. All employees of the County should be made aware in writing that employment with the County is at-will and should exercise great care not to make any representations otherwise.
3. When candidates from outside the County are to be considered for job vacancies, the following procedures should be followed:
  - a) Any external candidate for employment must either: complete a Lee County Application for Employment, and return to Lee County Human Resources in person, by mail, or by fax; submit a resume containing the reference number for the appropriate position; or complete our online application. Please note that if applying with a resume, a Lee County Application for Employment is required to be completed prior to hire. Internal candidates for employment must also complete a Lee County Application for Employment (See Promotion Policy 306 for further information).
  - b) Any candidate for a position requiring a certain typing speed must be able to demonstrate the ability to type the required correct words per minute on the typing test administered by the County.
  - c) The hiring department has the responsibility to determine whether an applicant meets the qualifications for the open vacancy. The decision whether to hire the applicant is to be made by the department. Human Resources will confirm that the candidate meets the minimum education and experience requirements.
  - d) If the background check or any other subsequent investigation discloses any misrepresentation on the application or information indicating that the individual is not suited for employment with the County, the applicant may be refused employment or, if already employed, may be dismissed.

## HIRING

Policy Number 301

Page 2



- e) Human Resources is responsible for New Employee Orientation and for the processing of employment forms. The supervisor is responsible for any necessary job training.
4. When current employees in regular full-time or part-time positions approved by the Board of County Commissioners are to be considered for job vacancies, other than intra-department transfers or promotions, the same procedures should be followed as outlined for external candidates.
  5. In all steps of the employment process, employees/applicants with disabilities, as that term is defined in applicable federal and state law, will be entitled to reasonable accommodation to permit the disabled person to perform the essential functions of the job, and/or to apply for the available job.
  6. All applicants offered employment with the County will be required to successfully pass a pre-employment drug screening. A qualified laboratory chosen by the County will perform the test. Any applicant who refuses to take the test, or whose test results are positive, will be denied employment at that time. Please see Policy 205, Drugs and Alcohol in the Workplace, for additional information.

At the option of the County, applicants testing positive are offered the opportunity for a retest at their own expense. If the retest is negative, the cost of the test will be reimbursed by the County.

7. Applicants for employment with the County in selected classifications may undergo a criminal background check. Applicants for positions requiring the ability to drive are subject to review of motor vehicle records (see Lee County Board of County Commissioners Motor Vehicle Operator Authorization Policy).
8. A relative of an employee will be considered for employment by the County, provided the applicant possesses all the qualifications for employment. A relative will not be hired, however, if such employment would:
  - a) Create either a direct or indirect supervisor/subordinate relationship with a relative; or
  - b) Create either an actual conflict of interest or the appearance of a conflict of interest.

The following criteria will also be considered when assigning, transferring or promoting an employee. For the purposes of this policy "relative" shall be defined, in accordance with FL Statutes 112.3135, as an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

9. Employees who marry or become members of the same household may continue employment as long as there is not:
  - a) A direct or indirect supervisor/subordinate relationship between such employees; or

- 
- b) An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the County will attempt to find a suitable position within the County to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

10. Former employees of the County who left in good standing may be considered for re-employment. A former employee who is re-employed will be considered a new employee from the date of re-employment. Employees who retire may be eligible, in certain circumstances, to be considered for rehire.

**HIRING**

Policy Number 301

Page 4



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**Policy:**

It is the policy of the County to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability and ability to successfully complete assigned work. ~~do the job that is vacant. Unless otherwise provided in writing, employment with the County is considered to be at-will so that either party may terminate the relationship at any time.~~

**Comments/Procedures:**

**301:1 GENERAL PROVISIONS**

- ~~1. At the discretion of the department director~~ The County will try to fill job vacancies above entry level by promoting from within if qualified applicants are known to be available internally.

Supervisors and department directors who need to fill a regular full or part-time job vacancy, other than intra-department transfers or promotions, should submit a personnel staffing requisition to Human Resources to request that the position be advertised and filled. All requisitions will be reviewed by Human Resources before the vacancy is posted.

On-call and temporary positions may be filled without the use of a personnel staffing requisition form and do not need to be advertised, though all other employment procedures should be followed. If the hiring authority department elects to advertise a temporary or on-call position, a personnel staffing requisition must be completed.

~~At the department director's discretion, on-call and temporary employees may be able to compete for internally posted positions for regular full and part-time vacancies in the same classification.~~

- ~~2. If qualified candidates from within the County are to be considered for job vacancies, Human Resources will post the openings in accordance with procedures contained under the "promotion" section.~~
- ~~3. If candidates from outside the County are to be considered for job vacancies, Human Resources will post the position, recruit the candidates and with departmental input, utilize recruitment methods and sources it deems appropriate to fill the vacancies.~~
4. During the recruitment, hiring and orientation process, no statement is to be made promising permanent or guaranteed employment and no document should be called a contract unless, in fact, a written employment agreement is to be used. All employees of the County should be made aware in writing that employment with the County is at-will and should exercise great care not to make any representations otherwise.
5. When candidates from outside the County are to be considered for job vacancies, the following procedures should be followed:
  - ~~a) Any candidate for employment must completely fill out and sign an employment application in order to be considered for hiring.~~
  - b) Any external candidate for employment must either: complete a Lee County Application for Employment, and return to Lee County Human Resources in person, by mail, or by fax; submit a resume containing the reference number for the appropriate position; or

## HIRING

Policy Number 301

Page 2



complete our online application. Please note that if applying with a resume, a Lee County Application for Employment is required to be completed prior to hire. Internal candidates for employment must also complete a Lee County Application for Employment (See Promotion Policy 306 for further information).

- c) Any candidate for a position requiring a certain typing speed must be able to demonstrate the ability to type the required correct words per minute on the typing test administered by the County.
  - d) The hiring ~~authority~~ department has the responsibility to determine whether an applicant meets the qualifications for the open vacancy, ~~and if the applicant is compatible with the work environment.~~ The decision whether to hire the applicant is to be made by the department. Human Resources will confirm that the candidate meets the minimum education and experience requirements.
  - e) If the background check or any other subsequent investigation discloses any misrepresentation on the application or information indicating that the individual is not suited for employment with the County, the applicant may be refused employment or, if already employed may be dismissed.
  - f) Human Resources is responsible for New Employee ~~Introduction and Orientation~~ and for the processing of employment forms. The supervisor is responsible for any necessary job training.
6. When current employees in regular full-time or part-time positions approved by the Board of County Commissioners are to be considered for job vacancies, other than intra-department transfers or promotions, the same procedures should be followed as outlined for external candidates.
7. In all steps of the employment process, employees/applicants with disabilities, as that term is defined in applicable federal and state law, will be entitled to reasonable accommodation to permit the disabled person to perform the essential functions of the job, and/or to apply for the available job.
8. All applicants offered employment with the County will be required to successfully pass a pre-employment drug screening. ~~take a drug test before being employed.~~ A qualified laboratory chosen by the County will perform the test. Any applicant who refuses to take the test, or whose test results are positive, will be denied employment at that time (see Policy 205, Drugs and Alcohol in the Workplace, for additional information).
- At the option of the County, applicants testing positive may, at the option of the County are offered the opportunity for a retest at their own expense. If the retest is negative, the cost of the test will be reimbursed by the County.
9. Applicants for employment with the County in selected classifications may undergo a criminal background check. Applicants for positions requiring the ability to drive are subject to a review of motor vehicle records (see Lee County Board of County Commissioners Motor Vehicle Operator Authorization Policy).



10. A ~~member relative~~ of an employee's ~~immediate family~~ will be considered for employment by the County, provided the applicant possesses all the qualifications for employment. An ~~immediate family member~~ relative will not be hired, however, if such employment would:
- Create either a direct or indirect supervisor/subordinate relationship with a relative family member; or
  - Create either an actual conflict of interest or the appearance of a conflict of interest.

~~These~~ The following criteria will also be considered when assigning, transferring or promoting an employee. ~~For purposes of this policy, "immediate family" shall mean Father, Mother, Brother, Sister, Wife, Husband, Son, Daughter, Daughter-in-Law, Father-in-Law, Mother-in-Law, Stepfather, Stepmother, Stepson, Stepdaughter, Stepbrother, Stepsister, Grandfather, Grandmother, Grandchild, Foster Child or Guardian, Brother-in-Law, Sister-in-Law, Son-in-Law.~~ For the purposes of this policy "relative" shall be defined, in accordance with FL Statutes 112.3135, as an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

11. Employees who marry or become members of the same household may continue employment as long as there is not:
- A direct or indirect supervisor/subordinate relationship between such employees; or
  - An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the County will attempt to find a suitable position within the County to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

12. Former employees of the County who left in good standing may be considered for re-employment. A former employee who is re-employed will be considered a new employee from the date of re-employment. Employees who retire may be eligible, in certain circumstances, to be considered for rehire.
13. ~~Any employee who is hired directly from other county, city or state agencies that participate in the Florida Retirement System may be authorized by Human Resources to transfer his or her accrued but unpaid sick time within 31 calendar days of employment with the previous employer, not to exceed 520 hours. Hours shall be transferred as follows: 80 hours upon date of transfer and 80 hours upon the completion of each succeeding year. Such employees may also be given credit for their length of continuous service for purposes of vacation accrual rates.~~

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**Policy:**

It is the policy of the County that it may, at its discretion, initiate or approve employee job transfers from one position to another or from one location to another. The classification and corresponding salary range may be the same or lower than the current position.

**Comments/Procedures:**

**305:1 GENERAL PROVISIONS**

1. The County may require employees to make either a temporary or long-term job transfer in order to accommodate the County's business needs.
2. Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, employees must meet the minimum requirements of the new position, and must have held their current position for at least six (6) months if the position sought is outside their current department.
3. Employees requesting voluntary job transfers, other than intra-department transfers or promotions, must complete a Lee County Application for Employment, and are subject to the same provisions set forth in Policy 301, Hiring.
4. Employees transferring into different positions/classifications shall be paid within the salary range of the new position/classification.

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**Policy:**

It is the policy of the County that it may, at its discretion, initiate or approve employee job transfers from one position to another or from one location to another. ~~A transfer is defined as moving to another position in the same or lower pay range. The job title classification and corresponding salary range may be the same or lower than the current position.~~

**Comments/Procedures:**

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2. Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, employees must meet the minimum requirements of the new position, and must have held their current position for at least six (6) months if the position sought is outside their current department.
3. Employees requesting voluntary job transfers, other than intra-department transfers or promotions, must complete a Lee County Application for Employment, and are subject to the same provisions set forth in Policy 301, Hiring.
4. ~~The hiring authority may elect not to post a vacancy if a qualified County employee requests a lateral transfer or voluntarily seeks a position with a lower salary range or is being reduced or disqualified from a higher level position. [Note: An application is not required.]~~
5. ~~Eligible employees who request a transfer will be considered in the following order subject to the discretion of the hiring authority:~~
  - a) ~~Employees in the same department as the job vacancy;~~
  - b) ~~Employees who are being considered for layoff because of a reduction in force or the elimination of their position;~~
  - c) ~~All other employees.~~
6. ~~Employee requests for transfer should normally be handled as follows:~~
  - a) ~~The employee should submit a written request for a transfer to the department director. The request should include the reason for the transfer and the department and specific job wanted.~~
  - b) ~~The department director should forward the request to Human Resources to determine whether the requested job or a suitable job vacancy exists and whether the employee is qualified. If a job vacancy exists and the employee is qualified, Human Resources should arrange an interview between the candidate and the department director or designee who has the job vacancy.~~
  - c) ~~The candidate will be allowed time off with pay for job interviews related to the transfer and will not be required to use vacation hours or compensatory time.~~

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- d) ~~The department director with the job vacancy will make the final transfer decision.~~
7. ~~Pay for transferred employees will be handled as follows:~~
- a) ~~Employees transferred to a job in the same salary range will continue to receive their existing rate of pay, pending available funding.~~
  - b) ~~Employees voluntarily transferring to a job in a lower salary range may continue to be paid at their former rate providing that rate is not over the maximum of the new salary range. They may be paid a lower rate at the department director's discretion. The employee should provide a memo acknowledging the transfer and salary.~~
  - c) ~~Employees transferred involuntarily to a job in a lower salary range may be paid at a lower rate not to exceed the maximum of the salary range.~~
8. Employees transferring into different positions/classifications shall be paid within the salary range of the new position/classification.



**Policy:**

It is the policy of the County to provide training and development opportunities for employees and to offer employees promotions to higher level positions when appropriate.

**Comments/Procedures:**

**306:1 GENERAL PROVISIONS**

1. All employees are encouraged to seek advancement opportunities and to obtain career guidance and skill development counseling from their supervisor, department/division director and/or Human Resources.
2. An employee's basic eligibility for promotion will be determined by the minimum requirements of the new job. In addition, the employee should have held his/her current position for at least six months, if the position sought is outside their current department.
  - a) As regular vacancies occur, the hiring department is expected to review the position requirements and determine the necessity of filling the position.
  - b) If it is determined that a position must be filled, the hiring department then reviews the position duties, responsibilities and minimum qualifications, including the essential functions of the job, and updates and revises the job description with the assistance of Human Resources staff, if necessary.
  - c) If the position is not filled by an intra-department transfer or promotion, the position is then posted and filled in accordance with Hiring Policy 301.
3. Current employee candidates for promotion will normally be considered and selected on the basis of job-related qualifications, tests where appropriate (demonstrated ability), attendance, work records, and performance evaluations. In addition, to the extent permitted by law, such employees may be required to have a medical examination.

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**Policy:**

It is the policy of the County to provide training and development opportunities for employees and to offer employees promotions to higher level positions when appropriate. ~~Management, when possible, may promote from within and may first consider current employees with the necessary qualifications and skills, unless outside recruitment is deemed to be in the County's best interest.~~

**Comments/Procedures:**

**306:1 GENERAL PROVISIONS**

1. All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance and skill development counseling from their supervisor, department/division director and/or Human Resources.
2. An employee's basic eligibility for promotion will be determined by the minimum requirements of the new job. In addition, the employee should have held his/her current position for at least six months, if the position sought is outside their current department.
- ~~3. Job vacancies and promotions for which management seeks candidates from within the County will be posted on the internal Job List. When job vacancies or promotion opportunities are posted, interested employees must complete a Lee County Employee Application and submit it to Human Resources prior to the advertised closing date.~~
  - a) As regular vacancies occur, the hiring department authority is expected to review the position requirements and determine the necessity of filling the position.
  - b) If it is determined that a position must be filled, the hiring department authority then reviews the position duties, responsibilities and minimum qualifications, including the essential functions of the job, and updates and revises the job description with the assistance of Human Resources staff, if necessary.
  - c) If the position is not filled by an intra-department transfer or promotion, the position is then posted and filled in accordance with Hiring Policy 301.
  - d) ~~Qualifications of the Lee County work force may then be reviewed by the hiring authority to determine if any current regular employees are qualified for the position.~~
  - e) ~~If a pool of qualified employees is available, the hiring authority may elect to post the vacancy in-house for at least five business days, if:~~
    - ~~(1) A lower-level position vacancy will eventually occur, and;~~
    - ~~(2) The open lower-level position is subject to targeted recruitment of qualified minority and female candidates.~~
  - f) ~~If internal recruiting efforts are unsuccessful or if the hiring authority determines that no viable internal candidates exist, the position may then be posted externally. (See HIRING for forms/procedures.)~~

## **PROMOTION**

Policy Number 306

Page 2



4. Current employee candidates for promotion will normally be considered and selected on the basis of job-related qualifications, tests where appropriate (demonstrated ability), attendance, work records, and performance evaluations. In addition, to the extent permitted by law, such employees may be required to have a medical examination.