

By Representative Ogles

1 A bill to be entitled
2 An act relating to state employment; creating
3 s. 110.2351, F.S.; providing legislative intent
4 to establish a system of personnel
5 administration along certain guidelines;
6 providing for membership of state employees in
7 a classified or unclassified service; amending
8 s. 110.107, F.S.; providing definitions for the
9 terms "unclassified service" and "classified
10 service"; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 110.2351, Florida Statutes, is
15 created to read:16 110.2351 Personnel administration; legislative
17 intent.--Effective July 1, 1998:18 (1) It is the purpose of this section to establish in
19 the state a system of personnel administration which will
20 attract, select, and retain the best employees based on merit,
21 free from coercive political influences, with incentives in
22 the form of equal opportunities for all; which will provide
23 technically competent and loyal personnel to render impartial
24 service to the public at all times and to render such service
25 according to the dictates of ethics and morality; and which
26 will eliminate unnecessary and inefficient employees. It is
27 specifically the intent of the Legislature to promote this
28 purpose by allowing agencies greater flexibility in personnel
29 management so as to promote the overall effectiveness and
30 efficiency of state government. To this end, all positions
31 filled after July 1, 1998, shall be included in the

1 unclassified service of the state system. It is also
2 specifically the intent of the Legislature that employees in
3 the classified service shall continue to be covered employees
4 in the classified service and shall remain subject to the
5 rules of the state system so long as they remain in covered
6 positions or as otherwise provided by law.

7 (2) In order to achieve these purposes, it is the
8 policy of the state that agencies treat all employees, whether
9 included in the classified or unclassified service, in
10 accordance with the following principles:

11 (a) Assuring fair treatment of applicants and
12 employees in all aspects of personnel administration without
13 regard to race, color, national origin, sex, age, disability,
14 religious creed, or political affiliations. This "fair
15 treatment" principle includes compliance with all state and
16 federal equal employment opportunity and nondiscrimination
17 laws.

18 (b) Recruiting, selecting, and advancing employees on
19 the basis of their relative ability, knowledge, and skills,
20 including open consideration of qualified applicants for
21 initial employment.

22 (c) Providing equitable and adequate compensation
23 based on merit and performance.

24 (d) Training employees, as needed, to assure high
25 quality performance.

26 (e) Retaining employees on the basis of the adequacy
27 of their performance, correcting inadequate performance where
28 possible and appropriate, and separating employees whose
29 performance is inadequate.

30 (f) Assuring that employees are protected against
31 coercion for partisan political purposes and are prohibited

1 from using their official authority for the purpose of
2 interfering with or affecting the result of an election or
3 nomination for office.

4 (3) With respect to employees in the unclassified
5 service, it shall be the responsibility of the state personnel
6 system to perform the following functions:

7 (a) Establish and maintain a statewide system of pay
8 ranges for all job classes.

9 (b) Define common job classes, establish associated
10 minimum qualifications for those classes and assign those
11 classes to appropriate pay ranges.

12 (c) Develop and maintain a common employment
13 application form to be used by all applicants for state
14 employment, which form may be supplemented as necessary by
15 agencies in seeking information about agency unique job
16 classes.

17 (d) Serve as the central contact point for all
18 potential employees to receive application forms, provide
19 information to applicants, refer applicants to agencies and
20 make applications available to agencies for review and
21 consideration.

22 (e) Upon request, develop, validate, or develop and
23 validate applicant screening devices being utilized by
24 agencies.

25 (f) Upon request, administer screening devices on
26 behalf of agencies.

27 (g) Make employment-related training available to
28 agencies and allow agencies the opportunity to provide input
29 into the nature and scope of said training programs.

30 (h) Develop model standards and processes which
31 agencies may use in developing internal processes for:

1 1. Defining agency unique job classes, establishing
2 associated minimum qualifications, and assigning these classes
3 to appropriate statewide pay ranges.

4 2. Developing and applying applicant screening devices
5 for all job classes.

6 (i) Audit agencies' processes and report findings as
7 appropriate.

8 (j) Provide technical support and assistance to
9 agencies as requested.

10 (k) Maintain and make available to the public at large
11 a statewide central registry of employment vacancies and job
12 announcements in state government as provided to the state
13 system by agencies seeking assistance in filling job
14 vacancies.

15 (4) With respect to employees in the unclassified
16 service, it shall be the responsibility of the employing
17 agency to perform the following functions:

18 (a) Define agency unique job classes, establish
19 associated qualifications for those job classes, and assign
20 those job classes to pay ranges on an appropriate statewide
21 compensation plan.

22 (b) Allocate all agency positions to defined job
23 classes.

24 (c) Recruit and screen applicants for job vacancies.

25 (d) Develop and administer appropriate job applicant
26 screening devices to ensure the integrity of the hiring
27 process.

28 (e) Develop policies to ensure compliance with all
29 applicable employment related state and federal laws.

30 (5) In the event agencies do not use a competitive
31 civil service examination to fill some or all of their

1 unclassified positions, it is expressly the intent of the
2 Legislature that appropriate consideration be given to
3 veterans in the filling of job vacancies in this state.

4 Section 2. Subsections (4) and (5) are added to
5 section 110.107, Florida Statutes, to read:

6 110.107 Definitions.--As used in this chapter, the
7 term:

8 (4) "Unclassified service" means service in the
9 employment of the state for any person hired on or after July
10 1, 1998, and service in any position which was not a position
11 governed by the Career Service System prior to July 1, 1998.

12 (5) "Classified service" means service in a position
13 which was governed by the Career Service System prior to July
14 1, 1998. It is the intent of the Legislature that when a
15 person who is in a position which was covered by the Career
16 Service System prior to July 1, 1998, and which position he or
17 she vacates on or after July 1, 1998, the position shall then
18 become a position in the unclassified service.

19 Section 3. This act shall take effect upon becoming a
20 law.

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23 HOUSE SUMMARY

24 Defines the term "unclassified service" to mean service
25 in the employment of the state for any person hired on or
26 after July 1, 1998, and service in any position which was
27 not a position governed by the Career Service System
28 prior to July 1, 1998. Defines the term "classified
29 service" to mean service in a position which was governed
30 by the Career Service System prior to July 1, 1998.
31 Provides that it is the intent of the Legislature that
when a person is serving in a position he occupied and
which was covered by the Career Service System prior to
July 1, 1998, and which position he vacates on or after
July 1, 1998, that position shall then become a position
in the unclassified service. Provides legislative intent
with respect to personnel administration in the state.
See bill for details.