Title: Recruitment and Selection Procedures

Related Policy: FDJJ - 1003

I. DEFINITIONS

Appointment – Placement of a candidate into a position.

Candidate – An individual who applies for a position with an agency of the State Personnel System. This includes current employees who may be applying for a new position.

Candidate Pool – A group of individuals who submit their profiles by the closing date of a requisition.

Candidate Profile – The official state of Florida’s web-based recruitment tool for which a candidate describes the type and duration of their training and experience, level of education and their knowledge, skills and abilities.

Compliance Review – The final process conducted by the Bureau Human Resources to ensure the candidate selected meets the requirements for hire and the recruitment and selection process was in accordance with policies and procedures.

DAVID – Driver and Vehicle Information Database.

Direct-Care – Positions within the Department of Juvenile Justice that has direct contact with youth for the purposes of providing care, supervision, custody, or control.

Eligibility Determination – The process of ascertaining whether applicant candidate possesses the minimum qualifications for the class, the required entry-level knowledge, skills, and abilities and any certification or licensure required for the position.

Essential Functions – The fundamental job duties of the position. A function is “essential” if the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized and the individual is hired based on their ability to perform a specialized function. Determination of the essential functions of a position is done on a position-by-position basis to reflect the job as actually performed.

Executive Leadership Team (ELT) – A group of senior-level managers within the Department. Each member of the ELT oversees a program area or office.

Exempt Status – Indicates an employee is exempt from the Career Service as provided in Section 110.205, Florida Statute. Employees shall serve at the pleasure of the agency head and shall be subject to personnel actions at the discretion of the agency head. Such personnel actions tantamount to suspension, dismissal, reduction in pay, demotion, or transfer are exempt from the provisions of Section 110.227 and Chapter 120, of the Florida Statutes.
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E-VERIFY – An internet-based system that compares information from Form I-9 to government records to confirm an employee is authorized to work in the United States. E-Verify must be completed within three (3) business days of the employee’s start date.

Human Resources Employment System (HRES) – A web-based system created by the Bureau of Human Resources and the Bureau of Information Technology to make the employment process more efficient and effective by employing faster or simpler working methods.

Human Resources (HR) Liaison – An employee responsible for human resources for a program area, detention facility, probation unit, bureau or headquarters unit.

Knowledge, Skills, and Abilities (KSAs) – The attributes required to perform a job and are generally demonstrated through job-related experience, formal education and/or training.

- Knowledge – Measures the technical knowledge required to meet performance standards at a particular level;
- Skills – Defines how much preparation and learning through experience and training is necessary to perform at a particular level; and
- Abilities – Defines the capacity to perform an observable behavior or produce a product.

Layoff – A personnel action which adversely effects an employee for a variety of reasons, including budget cuts, program reductions resulting from outsourcing or privatization efforts, or program phase-outs.

Minimum Qualifications – A specification of the kinds of experience, training, education and licensure or certification (if applicable) that provides appropriate job-related evidence that a candidate possesses the minimum knowledge, skills and abilities necessary to the discharge of the duties involved.

Nepotism – A public official appointing, employing, promoting, or advancing or the advocating for appointment of a relative in a position in the agency in which the official is serving or over which the official exercises jurisdiction or control.

Other Personnel Services (OPS) – An employer/employee relationship used solely for the completion of short term or intermittent tasks. OPS employees do not fill established positions.

People First System (PF) – The state’s self-service, online, human resource system and the enterprise-wide suite of human resource services – i.e., timesheets, job vacancies, payroll, benefits, etc.

Pre-Employment Requirements – A variety preconditions a candidate must successfully surpass, to include verification of previous employment, drug test analysis, selective service registration, E-VERIFY, reemployment after retirement, dual employment, employment of relatives, driver license data, and a review of criminal history via the Florida Crime Information Center (FCIC) and the National Crime Information Center (NCIC).

Preference Eligible Candidate – Pursuant to Rule 55A-7.003, F.A.C., preference-eligible candidate means a candidate eligible for preference in appointment or promotion, or an employee eligible for preference in retention pursuant to Section 295.07, F.S., including any person who is the mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty.
under combat-related conditions, the unremarried widow or widower of a veteran who died of a service-connected disability, or the spouse of a veteran who cannot qualify for employment because of a total and permanent service-connected disability or the spouse of a veteran who is missing in action, captured, or forcibly detained or interned in the line of duty by a foreign government or power.

Preferred Qualifications – Desired experience, training, education, test, licensure or certification, or a combination thereof, that provides job-related evidence a candidate can perform the essential functions of a position.

Public Official – For purposes of this policy, refers to an officer, or an employee of the Department in whom is vested the authority by law, rule, or regulation, or to who the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in the Department.

Recruitment – Activities to attract qualified candidates for positions according to agency needs.

Relative – For purposes of this policy, with respect to a public official, refers to 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.

Requisition – The public announcement of a job opening for which candidates are being recruited.

Requisition Pool – A group of candidates who have applied for a specific position that will be considered for multiple hiring within a six (6)-month period.

Selection Criteria – Methods used to assess the knowledge, skills, abilities, minimum qualifications, and other job-related qualifications possessed by a candidate (i.e., profile analysis, interview questions, work sample, willingness questionnaire).

Selection Package – All materials developed and used during selection process which are subject to compliance review by the Human Resources.

Selection Process – The procedures used to evaluate and select candidates for positions.

Social Media – A set of technologies such as application software or Internet sites that enable people to communicate with one another to share information or ideas.

Special Notes – A notation of specific skills or licensure. Placing a “special note” section in the requisition gives the manager or supervisor the opportunity to advise the candidates what may be needed to successfully perform in the position.

State Personnel System (SPS) – Refers to the employment system comprised of positions within the Career Service, Selected Exempt Service, or Senior Management Service, and within all agencies except those in the State University System, the Florida Lottery, the Legislature, the Justice Administration System, or the State Courts System.
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Veteran – Pursuant to section 1.01(14), F.S., a person who served in the active military, naval, or air service and who was discharged or released with their character of service noted as “Honorable” only or who later received an upgraded discharge to honorable, notwithstanding any action by the United States Department of Veterans’ Affairs on individuals discharged or released with other than honorable discharges.

Veterans’ Preference – Special consideration given to eligible veterans and other preference eligible candidates for Career Service positions as it relates to appointments, retentions, reinstatements, reemployments and promotions. The preference does not guarantee a veteran or other preference eligible candidate will be the candidate selected to fill the position.

II. STANDARDS/PROCEDURES

A. General Information

1. All Career Service (CS), Selected Exempt Service (SES), or Senior Management Service (SMS) positions, with the exception of the position identified below, that are vacant or that become vacant; must have written approval from the Deputy Secretary or Chief of Staff before advertising and filling the position.
   a. Positions:
      i. Juvenile Justice Detention Officer I, II, and Supervisor
      ii. Juvenile Probation Officer, Senior, and Supervisor
      iii. Food Support Worker

2. All requests for approval must be submitted in writing and must provide sufficient justification to fill the position. The request must be approved by the respective Assistant Secretary or Director, and forwarded to the Chief of Budget.

3. Under no circumstance shall a CS, SES, or SMS position that is not listed in Section II.A.1.a. of these procedures, be advertised or filled without written approval.

4. All positions filled must comply with the Department’s current fiscal year spending guidelines.

5. OPS positions do not have to be advertised, nor do they require approval when filled at the minimum hourly rate for the position. However, if filled above the minimum hourly rate, written approval from the Deputy Secretary or Chief of Staff is required.

6. At any point during the recruitment and selection process, a candidate or employee can request an accommodation under the Americans with Disability Act (ADA). The hiring authority may contact the Bureau of Human Resources, ADA Administrator for assistance in evaluating and handling the request for accommodation. Please reference FDJJ 1060 and FDJJ 1060P.

7. All employment actions must be completed in the Human Resources Employment System (HRES).
B. Recruitment

1. To begin the recruitment process, supervisors must review the official position description to ensure the current duties and responsibilities, and entry level knowledge, skills and abilities (KSAs) are assigned to the position. If they are not, the position description must be updated.

2. For guidelines on how to update a position description, please reference the HR website, under the subject matter Classification or email to HR Classification.

3. It is the Department’s policy to advertise all vacant positions for a minimum of three (3) days.

4. Appointments to SES and SMS may be made without advertising, at the discretion of the Secretary, Deputy Secretary, or Chief of Staff.

5. Appointments to CS may be made without advertising when its:
   a. A management directed demotion, lateral, reassignment or SES/SMS comparable action.
   b. An internal employee’s written request to demote, lateral, reassign, or SES/SMS comparable action.
   c. To reemploy a laid off employee.
   d. A requisition pool.

6. When an appointment is made without advertising, the selection process must be followed to ensure the candidate is eligible for the position, and to document the process. Management reserves the right to proceed with advertising the position.

7. Notification of the decision shall be given to the employee in writing.


C. Requisitions

1. The advertising source for the Department is the People First system. Other sources such as social media (Monster, Twitter, LinkedIn, Facebook), Employ Florida, local newspapers, minority publications, professional journals, etc. can be used, but requisitions in these outlets must run simultaneously and link or refer the candidate to People First to complete the candidate profile for employment consideration.

2. When posting a position, there are three types of requisitions:
   a. **Internal Agency** – The candidate pool is limited to current employees of the hiring agency only, including OPS employees. If the position is advertised as “internal” candidate profiles shall not be accepted from outside of the agency.
   b. **State Personnel System** – The candidate pool is limited to candidates currently employed with any state agency within the State Personnel System. This includes candidates employed
in OPS, Career Service, Selected Exempt Service and Senior Management Service positions. If the position is advertised as “State Personnel System” candidate profiles shall not be accepted from outside of the State Personnel System.

c. **Open Competitive** – The candidate pool is open to all candidates.

3. A requisition may require additional or continuous posting. The manager, supervisor or HR liaison may request the position to be re-advertised for an additional minimum of three (3) days if the review of the candidate profile determines there are no viable candidates. A note should be added stating whether previous candidates are still being considered and may or may not need to reapply.

4. Candidate pools may be used for positions with high turnover or recruitment difficulties. The requisition should contain information advising the candidate that this is a “pool” requisition.

5. Once a position is advertised or re-advertised, managers, supervisors, or HR liaisons shall not go back to a previous requisition to fill the position.

6. All requisitions must be routed to the program area’s HR liaison and the Bureau of Human Resources’ (HR) recruitment coordinator. The final approver for all requisitions shall be HR.

7. The manager or assigned requisition staff member enters all required information and team members who wish to review the requisition. For a step-by-step guide to complete requisitions, please reference the HR website, under the subject matter Recruitment & Selection.

8. The following information must be added to all requisitions:

   a. The Department of Juvenile Justice salutes our heroes. We are honored to have the opportunity to support our nation’s veterans and their families. We value the service given to our country and support the hiring of service members and military spouses.

   b. DJJ’s Logo.

   c. Position’s location (name of facility and street address).

   d. Minimum biweekly salary (OPS hourly rate).

   e. Contact person’s name and telephone number.

   f. Description of the duties and responsibilities.

   g. Knowledge, Skills and Abilities (KSA).

   h. Minimum Qualifications.

   i. Preferred Qualifications (optional).

   j. Special Notes (as listed below):
9. In addition to the above special notes, the following must be added for all direct-care positions:

   a. Positions that include the transportation of youth while performing any work or work-related functions on behalf of DJJ, require: (1) A valid driver’s license; and (2) a three (3)-year acceptable driving record as defined in FDJJ 1920P.

   b. Successful candidate must be certified in accordance with the Department direct-care training policy, and must obtain such certification within 180 days of employment.

   c. Assessment and Training Test – For those candidates not currently in the state system as a direct-care worker for the Department at the time of applying, the top-ranking candidate(s) after the interview phase will be required to take and pass an assessment and training test to be considered for a direct-care position. The test is used to measure the candidate’s overall suitability for working with juvenile justice involved youth. Candidates who do not pass the test must wait six (6) months from their test date before they can re-test. If a candidate passes, and is not hired; their score is valid for one (1) year from the test date.

   d. Juvenile Justice Detention Officer I, II, and Supervisor positions ONLY:

      i. Pursuant to Florida law, and in accordance with applicable federal law and regulations, the general staffing of a facility must be in accordance with the male and female ratio of the juvenile population. The decision to hire a male or female employee based on a bona fide occupational requirement does not constitute discrimination, disparate treatment and/or a violation of civil rights.

   e. 985.66 Florida Statute Requirement:

      i. Be at least 19 years of age.

      ii. Be a high school graduate or its equivalent as determined by the Department.

      iii. Not have been convicted of any felony or a misdemeanor involving perjury or false statement, or have received a dishonorable discharge from any of the Armed Forces of the United States. Any person, who after September 30, 1999, pleads guilty or
nolo contendere to or is found guilty of any felony or a misdemeanor involving perjury or false statement is not eligible for employment, notwithstanding suspension of sentence or withholding of adjudication. Notwithstanding this subparagraph, any person who pled nolo contendere to a misdemeanor involving a false statement before October 1, 1999, and who has had such record of that plea sealed or expunged is not ineligible for employment for that reason.

iv. Abide by all provisions of s. 985.644 (1), regarding fingerprinting and background investigations and other screening requirements for personnel.

v. Execute and submit to the Department an affidavit-of-application form, adopted by the Department, attesting to his or her compliance with subparagraphs 1-4. The affidavit must be executed under oath and constitutes an official statement under s. 837.06. The affidavit must include conspicuous language that the intentional false execution of the affidavit constitutes a misdemeanor of the second degree. The Department shall retain the affidavit.

10. Qualifying Questions may be used in the PF system to identify potential qualified candidates and reduce the number of profiles for review. When using qualifying questions, the following shall apply:

   a. Only job-specific questions, directly related to the duties and responsibilities assigned to the official position description shall be used.

   b. Requesting sensitive personal information is prohibited.

   c. Preferred qualifications may be used, but shall not disqualify the candidate from consideration.

   d. Disqualifying questions may be used for the requisition type, and required licensure, certification, education or training, and any entry-level knowledge, skills and or abilities for the position.

   e. All candidates must be asked the same qualifying questions.

   f. The supervisor should review all candidates with the desired score on the qualifying questions and may add additional criteria to further reduce the candidate pool.

11. After the selected candidate has been hired, the requisition vacancy field must be updated and closed in People First. Requisitions filling multiple vacancies (selection pools) must be closed once the maximum amount for the selection pool has been reached or the requisition has expired.

D. Selection

1. For posted requisitions, candidate profiles or resumes received after the deadline shall not be considered.

2. The Department complies with federal law by employing only U.S. citizens and lawfully authorized alien workers.
3. Veterans’ preference shall be completed for CS requisitions posted as open competitive and state personnel system.

4. Veterans’ preference does not apply to SES, SMS, or OPS positions; or an internal agency requisition.

5. Social Media shall not be used for screening candidates.

6. Career Service employees who answer “Yes” to the “Right to First Interview” question on their candidate profile must attach a copy of the official layoff letter when applying for a vacancy. Official layoff letters will be honored for up to one (1) calendar year based upon the effective date of the layoff. If the candidate has gained other employment (state or private) since the layoff, preference will not be given to the candidate for the right to a first interview.

   a. Selection Criteria

      i. Job-related selection criteria must be used to evaluate whether a candidate possesses the knowledge, skills, or abilities (KSAs) necessary to perform the essential functions of the position. The official position description shall be used to develop selection criteria.

      ii. If there are no selection criteria on file for the position, supervisors should develop the criteria while the position is being advertised.

      iii. To create selection criteria, you must analyze the position and become thoroughly familiar with the essential functions or duties required and KSAs necessary for successful job performance.

      iv. There are several components to selection criteria. Department approved components are:

         a) Candidate Screening – An assessment of the candidate’s profile that measures job-related experience, training, certification, license and or education to determine the best suited candidate for the position. The assessment is used to reduce the number of candidates who will advance to the next step in the selection process. **IMPORTANT NOTE:** If the candidate screening measures “preferred qualifications”, all preference eligible candidates shall be granted an interview. Veteran preference eligible candidates need only meet the minimum qualifications for a position. Please reference the definition section of these procedures for minimum qualifications or email to HR Recruitment for additional assistance.

         b) Interview Questions – A series of job-related questions that are consistently asked of all candidates who are interviewed, with responses being noted and evaluated to identify each candidate’s qualifications for the position. Initial interview questions must be written in advance, with desired answers; and the same questions must be asked of every candidate interviewed. Follow-up questions may be asked of an individual candidate to clarify answers or obtain additional information. An oral interview must be conducted with the successful candidate.

         c) Work Sample – A task exercise, representative of work required by the position, given to candidates to identify those who possess the ability to perform that task.
Work samples may be administered on a Pass/Fail basis. All candidates selected for a work sample must be given the same work sample.

d) Willingness Questionnaire – A survey containing questions that address the candidate’s willingness to perform certain required aspects of a position that are necessary to accomplish the essential functions of the position. Questions on a willingness questionnaire must be designed for a “Yes” or “No” answer.

e) Amended Profile – A modified profile designed to obtain additional or more detailed information on the candidates work history or education and training as it relates to the duties of the position and the necessary KSAs.

v. Supervisors shall complete interview questions and perform an oral interview on the selected candidate. After each interview, the interview team conducts a brief discussion to share observations and assessments. The interview panel shall be the same for each candidate interviewed. In the event an interviewer cannot be present for all interviews, all preceding criteria scored by the person shall be excluded. Supervisors should not replace the interviewer with a different person.

vi. Multiple Department-approved components may be chosen to help select the best suited candidate for the position.

vii. Supervisors must develop a scoring method to rank candidates for each component used.

viii. Selection criteria must be consistently administered to all candidates throughout the selection process.

ix. The supervisor or designee is responsible for the development, maintenance and administration of all selection materials. Selection materials must be maintained and handled in a secure and confidential manner. Selection assessment instruments are exempt from the provisions for inspection of public records in accordance with Chapter 119 F.S.

x. Candidate inquiries regarding their performance in a selection process must be directed to the Bureau of Human Resources.

xi. Intentional disclosure of the contents of any specific selection assessment instrument to persons unauthorized to receive such information will be grounds for disciplinary action, up to and including dismissal. Candidates who disclose such contents will be disqualified from further consideration for the position.

positions. A candidate’s resume may be submitted in addition to the profile, but shall not be used as a substitute for the requirement.

ii. Candidate profiles with a gap of employment of six (6) months or more must be amended to include the missing employment history. Candidates found to intentionally omit employment history shall not be considered for employment with the Department.

iii. Candidates may amend their profile using the PF system or submit a signed document that includes the missing employment history, when applicable. The amended or modified information must be included in the selection packet for the successful candidate.

iv. Candidate profiles attached to the requisition in the PF system, whereas the candidate attested to the information submitted and officially applied for the position, do not require a signature for authenticity.

v. All other candidate profiles for employment consideration must be signed by the candidate (i.e. positions that were not advertised, to include SES/SMS or OPS appointments, etc.).

c. Selected Exempt Service (SES) and Senior Management Service (SMS)

i. Appointments to positions within SES or SMS are made by selecting highly qualified candidates.

ii. The selection criteria outlined in this procedure is not a requirement to fill appointed positions, but management shall ensure any selection process used is job-related and free of any unlawful discrimination. Supervisors must provide a copy of all selection materials or assessment instruments used in the selection packet for the successful candidate to document the process.

iii. Supervisors must have approval from the Deputy Secretary or Chief of Staff to appoint a candidate to a SES or SMS position, without advertising or using selection criteria.

iv. Candidates appointed to SES or SMS positions must complete all pre-employment requirements.

v. If the position is posted, a selection will not be made prior to the closing date and the successful candidate must meet the qualifications or job requirements included in the requisition.

vi. If the position is posted and the supervisor decides not to fill the position using the requisition, the supervisor must cancel the requisition.

d. Career Service (CS)

i. Selection of candidates for employment into the CS is based on analysis of the position and assessment of the candidate’s knowledge, skills, and abilities (KSAs) or competencies necessary for successful performance in the position.
ii. The selection criteria outlined in this procedure shall be used and free of any unlawful discrimination. Supervisors must provide a copy of all selection materials or assessment instruments used in the selection packet for the successful candidate to document the process.

iii. Veterans’ preference shall be completed for veterans’ preference eligible candidates for CS requisitions posted as open competitive and state personnel system.

a) VETERANS’ PREFERENCE

1) Candidates for CS positions who are eligible to claim veterans’ preference must specifically claim the preference on their candidate profile by completing the Veterans’ preference section and providing supporting documentation.

2) The program area must ensure the appropriate application of veterans’ preference has been selected by the People First Service Center in the PF system. The manager, supervisor, or HR liaison must review the documentation provided (when applicable), conduct a second review, and complete Agency’s Final Veterans’ Preference Eligibility form to ensure the “Agency Final” columns on the candidate grid are updated by Human Resources. The completed form must be emailed to HR Recruitment for processing.

3) A copy of the DD Form 214, Certificate of Discharge, Separation from Active Duty, or other official documentation (to include military discharge papers, or equivalent certification from the Department of Veteran’s Affairs listing military status, dates of service, and discharge type) issued by the branch of service are required as verification of eligibility for veterans’ preference.

4) The manager, supervisor, or HR liaison has an affirmative duty to notify the candidate a minimum of one (1) time if a timely submitted Veterans’ Preference claim is later found to be missing information. The candidate shall be given five (5) business days to submit the requested document(s) following the date the request is received by the person seeking the Veterans’ Preference benefit. The notification must be by email, written correspondence or another method, which may be later provided as evidence to the Department of Management Services and the Public Employees Relations Commission. Emailing the candidate through the People First system will automatically create the required written documentation and is highly recommended.

5) The employee or candidate seeking veterans’ preference must have received an honorable discharge or must present documentation stating current service is honorable and, in accordance with section 295.07 F.S., meet one or more of the categories listed below:

- Category A: A veteran with a service-connected disability who is eligible for or receiving compensation, disability retirement, or pension under public laws
administered by the U.S. Department of Veterans Affairs and the U.S. Department of Defense. [section 295.07(1)(a), F.S.].

- Category B: The spouse of a veteran who cannot qualify for employment because of a total and permanent service-connected disability, or the spouse of a veteran missing in action, captured, or forcibly detained or interned in line of duty by a foreign government or power. [section 295.07(1)(b), F.S.].

- Category C: A wartime veteran as defined in section 1.01(14) F.S., who has served on active duty for one (1) day or more during a wartime period or who has served in a qualifying campaign or expedition. Active duty for training shall not qualify for eligibility under this paragraph. [section 295.07(1)(c), F.S.].

- Category D: The un-remarried widow or widower of a veteran who died of a service-connected disability. [section 295.07(1)(d), F.S.].

- Category E: The mother, father, legal guardian, or un-remarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense. [section 295.07(1)(e), F.S.].

- Category F: A veteran as defined in section 1.01(14), F.S., excluding active duty for training. [section 295.07(1)(f), F.S.].

- Category G: Current member of any reserve component of the United States Armed. [Section 295.07(1)(g), F.S.]

6) Veterans’ preference points must be added at each step of the selection process for eligible veterans or other preference eligible candidates who meet the documented minimum qualifications. Minimum qualifications may include meeting the minimum passing score on a validated test for certain positions.

7) There are three levels under which points will be given to preference eligible candidates. In accordance with the categories listed, preference points will be given for positions for which a numerically based selection process is used. Preference points will be administered according to the following:

- 15 points for a candidate under Categories A or B
- 10 points for a candidate under Categories C, D, or E
- 5 points for a candidate under Categories F or G

8) The points are based on 100 points rating system. If a rating system of other than 100 points is utilized, then 15 percent, 10 percent, or 5 percent will be added.
9) Veterans with a disability of 30% or more who meet the minimum qualifications established for the position, shall be granted an interview. Pursuant to Rule 55A-7.010(2)(C), F.A.C., this does not apply to classes of positions designated as Professional (EEO-4 Code 02) or Technician (EEO-4 Code 03).

10) EEO-4 Code category designation for positions can be verified in People First under Org Management, Position Maintenance, then Position Attributes.

11) Managers, supervisors, and HR liaisons should reference DMS Program Guideline - Administration of Veterans' Preference in the Career Service for guidance.

b) PROMOTION PREFERENCE – REINSTATEMENT OR REEMPLOYMENT

1) When an employee in a covered position leaves employment of an SPS agency for the purpose of serving in the Armed Forces of the United States, Reserve Component of the United States Armed Forces, or the Florida National Guard, and is separated with an honorable discharge, the agency must reinstate or reemploy such employees under the following conditions:
   - Reinstatement or reemployment is made to the same or to an equivalent position; and
   - Reinstatement or reemployment is made within one (1) year of the date of separation from the federal military service or, in the case of extended active duty, within (1) one year of the date of discharge or separation subsequent to the extension.

2) Veteran employees reinstated or reemployed under this law shall be awarded preference in promotion and shall be promoted ahead of all other employees who are equally or less qualified for the position, if their services were full-time/active duty status for at least 90 consecutive days, or less, if discharged early while serving in a combat zone or due to medical reasons. The promotional preference is limited to “Internal Agency Announcements.” Eligibility for preference in promotion shall apply only to a veteran’s first promotion after reinstatement or reemployment, without exception (Section 295.09, F.S.). Once an employee is promoted, all previous full-time active duty service is considered “used” and may not be invoked for use on a subsequent promotion. However, if the employee serves active duty AFTER the employee has been promoted, then the employee is eligible for another promotional preference following reinstatement or reemployment with the agency.
3) Employees on military leave shall be treated as if they had been continuously employed for purpose of status, pay, and other benefits pursuant to the terms of the type of authorized leave they have been granted and in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

4) The duties of a vacant position, or of a filled position when the incumbent is on extended leave of absence, may be temporarily assigned to a current employee. During the temporary assignment of duties, the employee shall remain in and retain the status and benefits of their current position. In accordance with Chapter 60L-32, F.A.C., and Collective Bargaining Agreements, the Department may grant the selected exempt service or senior management service employee a temporary salary increase, or a career service employee the appropriate pay additive, while performing the duties of the other position. Such temporary increases and additives shall be removed when the employee ceases to perform the temporarily assigned duties.

5) Managers, supervisors, and HR liaisons should reference DMS Program Guideline - Administration of Veterans' Preference in the Career Service for guidance.

E. Pre-Employment Requirements

1. An official offer of employment shall not be made prior to the candidate successfully completing pre-employment requirements. When a candidate or employee is being considered for employment, they must be advised that an offer of employment is contingent upon successful completion of the pre-employment requirements for the position.

2. All pre-employment requirements must be verified, documented and uploaded into the HRES.

   a. Verifications and Reference Checks

      i. Education, licensure, registration or certification.

         a) All department positions, with the exception of Food Support Worker, require a minimum of a high school diploma or its equivalent.

         b) The following positions require a minimum of a bachelor’s degree from an accredited college or university;

            1) Juvenile Probation Officer

            2) Senior Juvenile Probation Officer

            3) Juvenile Probation Officer Supervisor – SES
c) All required licensures, registrations or certifications must be valid and remain valid, as a condition of employment.

ii. Reference Checks

a) Conducting reference checks is one of the most important steps in the selection process. A verification of employment and past performance is often the best indicator of future performance. Reference checks completed on the candidate selected should support the qualification determination and eliminate any doubt that the candidate is qualified for the position.

b) Reference checks must be performed on the successful candidate in accordance with the following:

1) All reference checks on current or former Department of Juvenile Justice employees shall be completed by the Bureau of Human Resources.

2) All reference checks shall be completed in the HRES.

3) A candidate who has been employed with one employer for five (5) years or more only require one reference check. Additional reference checks may be needed to ensure the employee is qualified for the position.

4) A candidate who has been employed with one employer less than five (5) years require a minimum of three (3) reference checks. Additional reference checks may be needed to ensure the employee is qualified for the position.

5) For **ALL DIRECT-CARE POSITIONS**, when a candidate has previous state service (i.e. worked for another state agency), the following information must be requested from each agency to satisfy reference check requirements:

   - Disciplinary Actions
   - Performance Evaluations
   - Investigations
   - Memos of Counseling
   - Corrective Action Plans
   - Settlement Agreements

6) A good faith effort shall be made to complete the required reference checks on a prospective employee. However, in the event you are unsuccessful after having attempted to contact all employers listed by the candidate, the following is required.

   - A minimum of three (3) unsuccessful attempts.
• The three (3) attempts must be documented, to include the telephone number, the dates and times.

• The attempts shall not be completed in a very short time span, such as once a day for three (3) days. A reasonable approach should be used.

7) For candidates who were self-employed, or for businesses that have closed or charged a fee, the candidate shall submit a notarized statement to include:

- Name of Employer
- Position Title
- Dates of Employment
- Hours Worked per Week
- Duties and Responsibilities
- Reason(s) for Leaving

8) For current employees, if the appointment is to a position under the same hiring authority, or within the same office/unit/facility, a reference check is not required.

9) All reference check findings that are less than favorable, must be approved in writing by the respective Assistant Secretary, Director or as delegated by the program area.

10) Approval to hire a candidate must be obtained in writing from the respective Assistant Secretary, the Deputy Secretary, Chief of Staff or as delegated by the program area, if the manager or supervisor recommends employment of a candidate described below:

- Dismissed by the Department or another state agency.
- Resigned from the Department or another state agency in lieu of dismissal.
- Resigned from the Department or another state agency while the subject of an investigation.

b. Background Screening

i. A Florida Crime Information Center (FCIC) check and National Crime Information Center (NCIC) check, will be conducted as a condition of employment on all candidates pursuant to FDJJ 1800P Background Screening (For DJJ Employees and Volunteers).
ii. All information on the candidate’s profile relating to felonies or misdemeanors must be reviewed before proceeding with the selection process. This information does not automatically exclude a candidate from consideration, but the nature, job-relatedness, severity and offense date in relation to the position must be considered. If there are questions or concerns, the Department’s Office of General Counsel or appropriate Assistant General Counsel should be contacted for further guidance.

iii. Any person who is required to undergo a background investigation and who refuses to cooperate or refuses to submit fingerprints shall be disqualified for employment or, if employed, shall be dismissed.

iv. All candidates shall have a rating of eligible (to include, eligible with charges).

v. Pursuant to §§435.04, 985.66 or 985.644, Florida Statute, candidates who are ineligible must be granted an exemption from disqualification from the Department. The exemption must be obtained prior to an offer of employment, internship, or volunteer work with the Department.

vi. A new background screening is not required when an employee is promoted or transferred within the Department, if there is no break in service.

vii. Candidates with an eligible rating may be considered for employment up to 180 calendar days from the date the fingerprints are scanned. If the candidate is not hired within 180 calendar days, a new background screening shall be required.

c. Drug Screening

i. All candidates and employees considered for safety-sensitive (i.e. direct-care, etc.) positions must complete and pass a pre-employment drug screen pursuant to FDJJ 4.07P Employment Drug Testing Program and Procedures.

ii. Failure to comply with an ordered drug test or any evidence of an attempt to defeat the validity of the test shall result in the candidate being disqualified or an employee being disciplined up to and including dismissal.

iii. If a candidate or employee is not appointed to a position within 60 days of receiving a negative drug test result, the applicant must be retested prior to beginning employment in the position.

d. Driver’s License

i. All positions that require a valid driver’s license must have it documented on the official position description. Candidates and employees must possess the valid driver’s license before being placed in the position.

ii. All candidates and employees considered for a direct-care position must have a valid driver’s license.

iii. Positions that include the transportation of youth while performing any work or work-related functions on behalf of the Department require: (1) A valid driver’s license; and three (3) year
driving record based on the criteria outlined in FDJJ 1920 and FDJJ 1920P Operating a Vehicle for the Purpose of Transporting Youth.

iv. Positions that require operating a state-owned or personal vehicle for performing job-essential functions require a valid driver’s license.

v. When a position requires a valid driver’s license, licenses that are suspended or revoked for any reason, work permits (business purpose/employment/education only licenses) and other types of restricted licenses are not acceptable. Licenses that have corrective lenses restriction are acceptable as long as the driver wears their corrective lenses while operating a state vehicle.

e. Employment of Relatives

i. A public official may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position or unit in the Department in which the public official is serving or over which he exercises jurisdiction or control of any individual who is a relative of the public official.

ii. The following applies to all existing family relationships and all personnel actions:

a) No personnel action may be taken that would result in the employment of more than one relative working in the same organizational unit.

b) Any functional operational component which is separately defined by unit title and recognized as such by the Assistant Secretary, Deputy Secretary, or Chief of Staff is an organizational unit.

iii. Managers, supervisor and HR liaisons should reference FDJJ 1003.06P Nepotism - Employment of Relatives for guidance.

f. Selective Service

i. Male candidates born on or after October 1, 1962, must have proof of registration with the United States Selective Service. Candidates who fail to register with the Selective Service cannot be considered for employment.

ii. Current employees who have not registered cannot be promoted or rehired.

iii. Selective Service can be verified at https://www.sss.gov.

iv. Candidates with military service are not required to register with the Selective Service. They may provide a copy of the DD Form 214, comparable discharge or separation documentation from the Department of Defense to satisfy the requirement.

v. Managers, supervisor, and HR liaisons should reference DMS Program Guideline - Selective Service Registration for guidance.
g. Florida Retirement System (FRS) – Certification
   i. The Florida Retirement System has very specific limitations on rehiring retired members. Failure to follow requirements may subject the retiree to loss of benefits and or termination.
   ii. Managers and supervisors cannot guarantee to any retiring members that they will be rehired after retirement.
   iii. Any selection of a retired member must occur after the member retires and meets all the requirements of the FRS regarding the length of time that must elapse prior to re-employment.
   iv. Managers, supervisor, and HR liaisons should reference Re-employment After Retirement for guidance.

h. Dual Employment
   i. Due to the sensitive nature of the Department’s mission and the necessity to ensure compliance with State law, all candidates seeking secondary employment, whether within or outside state government, must have approval from DJJ before beginning dual employment.
   ii. Candidates and employees shall not be dual employed with the Department without proper authorization.
   iii. Managers, supervisor and HR liaisons should reference FDJJ 1002.07P Dual Employment for guidance.

F. Determining Salary, Appointments, and Status

1. Salary
   a. Positions shall be filled at the minimum of the pay grade or broadband pay band, whichever is greater; or pursuant to the current spending guidelines upon reassignment, demotion, promotion, or SES/SMS comparable appointments.
   b. Justification to fill positions above the minimum of the pay grade or broadband pay band; or outside the current spending restrictions upon reassignment, demotion, promotion or SES/SMS comparable appointments, must be approved in writing by the Deputy Secretary or Chief of Staff. Please reference Section II, A, 1 and 2, of these procedures.

2. Appointment – DMS Rule 60L – 33, Appointments and Status
   a. Original
      i. An employee shall be given an original appointment upon:
         a) Initial placement in an established career service position; or
         b) Placement with trainee status in the following programs: cooperative education program; vocational rehabilitation or blind services program; agency trainee program;
c) Placement in an established career service position from a SES or SMS; or

d) Appointment to a SES or SMS position.

e) Upon an original appointment, a career service employee shall be given probationary status.

b. Promotion

i. A Career Service employee shall be given a promotion appointment when the appointment is to a position in a broadband level having a higher maximum salary or to a position in a broadband level having the same or lower maximum salary but a higher level of responsibility. A higher level of responsibility is indicated by a higher pay grade for the new position.

ii. Upon a promotion appointment, the employee shall be given probationary status.

c. Promotion Comparable

i. A SES/SMS employee shall be given a promotion comparable appointment when the appointment is to a position in a higher pay grade or broadband level having a higher maximum salary; or to a position in a broadband level having the same or lower maximum salary but a higher level of responsibility. A higher level of responsibility is indicated by a higher pay grade of the new position.

d. Demotion

i. A career service employee shall be given a demotion appointment when the appointment is to a position in a broadband level having a lower maximum salary or to a position in a broadband level having the same or higher maximum salary but a lower level of responsibility. A lower level of responsibility is indicated by a lower pay grade for the new position.

ii. Upon a demotion appointment, the employee shall be given probationary status. However, the demotion appointment shall be with permanent status if all the following conditions are met:

1) The demotion is in the employee’s current agency;

2) The employee previously held permanent status in the position and the duties of such position have not substantially changed; and

3) The position is assigned to the same occupation and broadband level of the position previously held by the employee.

e. Demotion Comparable

i. A SES/SMS employee shall be given a demotion comparable appointment when the appointment is to a position in a lower pay grade or broadband level having a lower maximum salary; or to a position in a broadband level having the same or higher maximum
salary but a lower level of responsibility. A lower level of responsibility is indicated by a lower pay grade for the new position.

f. Lateral
   i. A career service employee shall be given a lateral action appointment when the appointment is to another position in the same agency that is in the same occupation, same broadband level with the same maximum salary, and has substantially the same duties and responsibilities.
   ii. Upon a lateral action appointment, the employee shall retain the status they held in their previous position. If probationary, time spent in the previous position shall count toward completion of the required probationary period for the new position.

g. Lateral Comparable
   i. A SES/SMS employee shall be given a lateral comparable appointment when the appointment is to another position in the same agency that is in the same occupation, same broadband level with the same maximum salary, and has substantially the same duties and responsibilities.

h. Reassignment
   i. A career service employee shall be given a reassignment appointment when the appointment is either:
      a) To a position in the same broadband level and same maximum salary but with different duties;
      b) To a position in the same broadband level and same maximum salary, regardless of the duties, but to a different agency; or
      c) To a position in a different broadband level having the same maximum salary.
   ii. Upon a reassignment appointment, the employee shall be given probationary status.
   iii. If the reassignment appointment is in conjunction with a legislatively mandated transfer of the position, the employee retains the status held in the position unless the legislature directs otherwise.

i. Reassignment Comparable
   i. A SES/SMS employee shall be given a reassignment comparable appointment when the appointment is to a position in the same broadband level and same maximum salary, but with different duties; or to a position in the same broadband level and same maximum salary, regardless of the duties, but to a different agency; or to a position in a different broadband level having the same maximum salary.
j. Reinstatement or Reinstatement Comparable

i. A career service, SES or SMS employee who separates and is not on the payroll of any State Personnel System entity at any time during the interim period may, upon approval by the agency head or designee, be given a reinstatement or reinstatement comparable appointment if the employee returns to the same position within the same agency within 31 calendar days from the effective date of the separation. Such employee shall be:

   a) Appointed with the same employment status, pay, and benefits held by the employee at the time of separation from the agency.

   b) Treated as if they have been continuously employed. However, the employee shall be placed on leave without pay for any portion of the interim period.

   c) A SES or SMS employee may be reinstated, but shall be given an original appointment.

3. Status – DMS Rule 60L – 33, Appointments and Status

a. An employee appointed to fill a position in the Career Service shall be given one of the following status types:

   i. Trainee: An employee appointed to a position as a trainee shall be given trainee status in accordance with the trainee program developed by the Department.

   ii. Probationary: Status indicates a Career Service employee is serving a required probationary period of at least one (1) year. While in probationary status the employee serves at the pleasure of the agency head and has no notice or appeal rights pursuant to Section 110.227, and Chapter 120, of the Florida Statutes. Hiring authorities shall advise employees, in the appointment letter, that while serving a probationary period they are not permanent in the Career Service.

      a) The probationary period may be extended if there are documented business reasons for the extension. Probationary periods may not be extended for:

         1) Employees on military leave. Time spent on any form of military leave shall count toward completion of the probationary period, and an employee on military leave may attain permanent status in the position while on such leave.

         Employees on leave pursuant to the Family and Medical Leave Act (FMLA). If the probationary period expires while on such leave, the employee shall obtain permanent status in the current position. However, if there are time-limited conditions, tests or any other requirements in place prior to beginning FMLA leave that the employee is required to fulfill, the employee’s probationary period maybe extended.

      b) The duration of a probationary period may not exceed 18 months.
c) The probationary period shall be the same for both part-time and full-time employment.

iii. Permanent: Status indicates that a Career Service employee has successfully completed the required probationary period and has attained notice and appeal rights pursuant to Section 110.227 F.S., in the current position. Part-time employees and employees filling shared employment positions attain permanent status in their current positions in the same manner as full-time employees.

b. An employee appointed to fill a position in the OPS, SES or SMS shall be given exempt status, in accordance with Chapter 60L-33, F.A.C.

c. Managers, supervisors and HR liaisons should reference DMS Probationary or Permanent Status for Career Service.

G. Employment Process – Human Resources Employment System (HRES)

1. The HRES was developed to streamline the employment process. The web-based system guides the user through the employment action and identifies each requirement.

2. Requirements for each position are based on the type of position and or appointment.

3. Employment actions and related documentation must be completed and uploaded in the HRES.

4. As a condition of employment, new employees to the Department must complete onboarding in the HRES. The onboarding process is an acknowledgment of receipt of the Department’s required policies, procedures and employee information. The onboarding process must be completed within three (3) business days of the employee’s confirmed start date. An employee’s refusal to complete onboarding will result in termination of employment.

a. HRES – There are five (5) steps in the employment process:

   i. Position Setup – Provides details about the position, to include, number, title, location, classification, type, Financial Disclosure, and pre-employment requirements.

   ii. Requisition Setup – Provides details about the requisition, to include start date, closing date, announcement type, and expiration date.

   iii. Selection Process Setup – Provides details involving the selection, to include criteria, interview committee, candidates interviewed (i.e. pre-selected candidates), interview scores, and employment requirements.

   iv. Successful Candidate – Provides details on the candidate selected to fill the position, to include the type of action, screening requirements, verifications, reference checks, required documents, letter of offer, Form I-9 and E-VERIFY.

   v. Activate Day 1: Onboarding (new employee’s only) – Provides the candidate with access to the Department’s electronic acceptance system to acknowledge receipt of required policies,
procedures and employee information. The onboarding process shall be activated once the employee’s start date is confirmed (reports to work). All new employees must complete the onboarding process within three (3) business days.

b. Required Documentation – Selection
   i. Interview questions, desired answers and the score or point guide (blank copy).
   ii. Criteria used to determine which candidates to interview.
   iii. All materials used in the selection process for each candidate interviewed, to include work samples, willingness questionnaires, written test, etc.
   iv. The interview questions and answers for each candidate interviewed.

c. Required Information Pre-Employment (based on the type of position and or appointment)
   i. Deputy Secretary or Chief of Staff’s approval (i.e. PAR Analysis) (required for positions filled outside of the current spending guidelines)
   ii. Candidate Profile (upload from PF to HRES)
   iii. Verifications: Education, DD 214, Licensure, Registration or Certification (copy)
   iv. Reference Checks (completed in the HRES)
   v. Affidavit of Application
   vi. Oath of Loyalty
   vii. Collection/Usage of SSN
   viii. Driver’s License/Government issued photo ID (copy)
   ix. Social Security Card (copy)
   x. Background Screening results (completed in HRES)
   xi. Drug Screening results (completed in HRES)
   xii. Driver’s License status (completed in HRES)
   xiii. Driving History verification (completed in HRES)
   xiv. Selective Service – males
   xv. Florida Retirement Certification Form (FRS)
   xvi. Dual Employment (inside and outside state government)
   xvii. Letter of Offer (completed in HRES)
d. Finalizing the Employment Process
   i. Once the pre-employment requirements have been documented in the HRES, a Personnel Action Request (PAR) must be initiated in the People First (PF) system.
   ii. The PAR action transitions the candidate to an employee and provides access to the state’s self-service, online, human resource system. Upon completion, the employee is authorized to receive earnings and is granted access to online services.
   iii. The HRES’ PEOPLE FIRST (PF) – Personnel Action Request (PAR) report may be used to complete the PAR in the PF system.
   iv. The PAR action should be acted upon and completed after the employee reports to work to confirm the effective (start) date.
   v. Once the employee’s effective date is confirmed, Day 1: Onboarding must be activated in the HRES. The onboarding process shall be completed by the employee within three (3) business days.
   vi. To ensure employees are authorized to work in the United States, the employment authorization process, E-VERIFY must be completed by the HR liaison within three (3) business days.
   vii. HR shall complete a final audit of the employment action.
   viii. HR may require additional information to ensure the employment action was process in accordance with applicable laws, rules, policies and procedures. Failure to provide additional information may result in the dismissal of the employee.

e. Activate Day 1: Onboarding – New Employees (on-line acknowledgement system)
   i. Employee Handbook
   ii. Statement of Personal Responsibility
   iii. Employee Code of Ethics/Personal Responsibility
   iv. Drug-Free Workplace Policy
   v. Violence in the Workplace Policy
   vi. Sexual Harassment Policy
   vii. Internet User Agreement Policy
   viii. New Employee Checklist Summary
x. OPS Health Benefits Signed Receipt (OPS only)

xi. OPS Information Sheet (OPS only)

xii. OPS Bencor 401(k) Plan Summary (OPS only)

xiii. OPS FAQ’s (OPS only)
### H. Quick Reference Guide

<table>
<thead>
<tr>
<th>STEP</th>
<th>ACTION</th>
<th>REFERENCE</th>
<th>RESPONSIBILITY</th>
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</table>
| 1    | Request approval to fill the position (pursuant to these guidelines) | ➢ Section II, A  
➢ Spending Guidelines | Manager  
Supervisor |
| 2    | Setup position in HRES | ➢ Section II, G  
➢ HRES Guide | HR Liaison |
| 3    | Complete requisition in PF (i.e. advertise position) | ➢ Section II, C | Supervisor  
HR Liaison |
| 4    | Setup requisition in HRES | ➢ Section II, G  
➢ HRES Guide | HR Liaison |
| 5    | Complete VP eligibility review (career service positions only) | ➢ Section II, D | Manager  
Supervisor  
HR Liaison |
|      | a. Develop or use established selection criteria to review candidates |   |   |
| 6    | b. Select candidates to interview based on selection criteria | ➢ Section II, D | Manager  
Supervisor |
|      | c. Interview candidates and make selection |   |   |
| 7    | Setup selection process in HRES | ➢ Section II, G  
➢ HRES Guide | HR Liaison |
| 8    | Request approval to pay outside current spending guidelines (when applicable) | ➢ Section II, A and F  
➢ Spending Guidelines | Manager  
Supervisor |
| 9    | Select successful candidate – HRES Complete pre-employment requirements | ➢ Section II, E and G  
➢ HRES Guide | HR Liaison |
|      | a. Initiate PAR in PF | ➢ [How to process a PAR](#)  
➢ [PAR routing and approval](#) | Manager  
Supervisor |
|      | b. Act upon and complete PAR | ➢ [PAR actions guide](#) |   |
| 10   | Activate Day 1: Onboarding – HRES | ➢ Section II, G  
➢ HRES Guide | HR Liaison |
| 11   | Complete E-VERIFY | ➢ [E-VERIFY User Manual](#) | HR Liaison |
| 12   | Close requisition in PF | ➢ Section II, C | HR Liaison |
| 13   | HR completes final audit | ➢ Email [HR Recruitment](#) | Human Resources’ authorized employee |
III. ATTACHMENTS/HELPFUL LINK

Attachment I – DMS Supervisor's Guide to Recruitment and Selection

Attachment II – DMS Program Guide - Social Media - Use by Agencies in the Hiring Process and Personal Use by Employees

Attachment III – DMS Program Guideline - Administration of Veterans' Preference in the Career Service

Attachment IV – DMS Program Guideline - Selective Service Registration

Attachment V – DMS Program Guideline - Reemployment of Florida Retirement System Retirees in the State Personnel System

Attachment VI – Drug Testing Program Procedure

Attachment VII – DMS Probationary or Permanent Status for Career Service

Attachment VIII – Administration of the Americans with Disabilities Act

Human Resources Employment System (HRES)

HR Website

IV. FORMS

Affidavit of Application

Oath of Loyalty

Collection/Usage of SSN

Florida Retirement Certification Form (FRS)

Dual Employment (inside and outside state government)