



FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

Title: Solicitation and Distribution of Literature Procedures

Related Policy: FDJJ – 1003.19

I. DEFINITIONS

Appropriate Literature - Literature that does not contain anything reflecting adversely on the State, or any of its officers or employees, and does not violate any law, rule or regulation including but not limited to pornographic, sexually explicit or sexually oriented material, racial, hate and or any other offensive materials.

Benefit Provider - A legally qualified corporation, partnership, sole proprietor, or other legal entity offering insurance benefit programs to the Department employees.

Benefits Coordinator/Regional Director - The person responsible for the supervision of programs or offices assigned geographically under their span of control.

Charities - Organizations providing direct health and social welfare services and approved as participants in the Florida State Employees' Charities Campaign.

Employee - Any person receiving salary payments for work performed in a regularly established position.

Nonemployee - A person soliciting an agency or state employee for the purpose of engaging such agency or employee in a business transaction or other nongovernmental activities. Independent contractual employees and Other Personal Services (OPS) are nonemployees.

Nonwork areas - Those areas controlled by the agency where work is not being performed, such as lounges and recreation areas.

Nonworking hours - Lunch periods and rest periods, as well as time before and after the employee's normal workday.

Solicit - To sell; to obtain signatures, such as authorization or membership cards; to offer for sale or trade; to attempt to engage an agency or employee in a business transaction for profit; and, to seek monetary or other donations.

State Sponsored Program - Any legislatively authorized program intended to benefit state employees, such as the State Group Insurance Program authorized by section 110.123, F.S.; Pretax Benefits Program authorized by section 110.161, F.S.; Deferred Compensation Program authorized by section 112.215, F.S.; Senior Management Optional Annuity Program authorized by section 121.055, F.S., and other similar programs.

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

SUBJECT: Solicitation and Distribution of Literature Procedures

SECTION: FDJJ - 1003.19P

II. STANDARDS/PROCEDURES

A. Employee Solicitation and Distribution of Literature:

1. Employees are permitted to solicit, as defined in the above definition of "solicit", during nonworking hours, even in work areas, as long as such solicitation does not involve other employees who are working.
2. Employees are permitted to post materials on employee bulletin boards designated as employee bulletin boards by the agency head, provided such material does not contain anything reflecting adversely on the State, or any of its officers or employees, and does not violate any law, rule or regulation. Employees shall not be permitted to post such materials on bulletin boards that are limited to official State business. However, employees are prohibited from distributing literature or materials in work areas, unless the specific work area has been approved for such distribution by the agency head.

B. Nonemployee Solicitation and Distribution of Literature:

1. The Benefits Coordinator or Regional Director or designee may authorize nonemployees to solicit only in nonwork areas during nonworking hours, provided such solicitation does not interfere with the regularly intended use of these areas.
2. Any nonemployee or entities desiring to use an area of any State-owned or leased office building or the grounds shall submit a written request to the Benefits Coordinator or Regional Director or designee responsible for the building facility.
3. This request should be delivered no later than three (3) working days prior to the date anticipated for using the building to allow for coordination of requirements of the activity concerned. All such requests shall:
 - a. Identify the person or persons requesting the use of such facilities;
 - b. Describe the facilities to be used and the use intended;
 - c. Identify the respective dates and times at which use is planned to commence and terminate; and,
 - d. Be granted on a first-come, first-served basis.
4. The Benefits Coordinator or Regional Director or designee may authorize nonemployees to distribute literature or material only in nonwork areas, provided such distribution does not interfere with the regularly intended use of the areas. However, the Director of Administrative Services may permit solicitation in work areas, such as conference rooms and training rooms, if such solicitation does not involve employees who are working.

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

SUBJECT: Solicitation and Distribution of Literature Procedures

SECTION: FDJJ - 1003.19P

C. Exceptions:

1. Charitable solicitations made within the approved Florida State Employee's Charitable Campaign (FSECC) period.
2. Nonemployees assisting the state in effectuating the State Employees' Group Insurance Program may solicit employees, post materials or distribute literature for the implementation and administration of such state programs during working and nonworking hours.
 - a. The Bureau of Personnel will coordinate with the Regional Director or designee at each facility, activities (i.e., solicitation, distribution of literature) for the implementation and administration of state programs during working and nonworking hours.
3. Nonemployees assisting in effectuating other state-sponsored programs may solicit employees, post materials, or distribute literature during working and nonworking hours.
4. The Benefits Coordinator or Regional Director or designee may authorize non-employees assisting in effectuating a state sponsored program (i.e., public employee recognition week) to solicit employees, post materials, or distribute literature during working and nonworking hours.
5. The Benefits Coordinator or Regional Director or designee shall ensure the American Federation of State, County and Municipal Employees (AFSCME) Union:
 - a. Is provided space measuring nine (9) square feet for Union use on State-controlled bulletin boards;
 - b. Where bulletin boards are not available, provides wall space measuring nine (9) square feet for Union-purchased bulletin boards;
 - c. That Union bulletin boards are only used for the following notices:
 - (1) Recreational and social affairs of the Union;
 - (2) Union meetings;
 - (3) Union elections;
 - (4) Reports of Union committees;
 - (5) Union benefit programs;
 - (6) Current Union contract;
 - (7) Training and educational opportunities;
 - (8) Decisions reached through consultation meetings, as approved by the Chief Negotiator of the Department of Management Services; and,
 - (9) Notices of wage increases for covered employees.
 - d. That materials posted on bulletin boards do not contain anything which violates or has the effect of violating any law, rule, or regulation; and,
 - e. That postings are dated and bear the signature of an authorized Union representative.

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

SUBJECT: Solicitation and Distribution of Literature Procedures

SECTION: FDJJ - 1003.19P

6. The Benefits Coordinator or Regional Director or designee shall ensure the Florida Nurses Association (FNA) Union:
 - a. Where requested in writing, is provided wall space not exceeding 20" x 30" for FNA purchased bulletin boards in any state-controlled facility to which any bargaining Unit employees are assigned;
 - b. That FNA bulletin boards are used only for the following notices:
 - (1) Recreational and social affairs of the Association;
 - (2) Association meetings;
 - (3) Association elections;
 - (4) Reports of Association committees;
 - (5) Association benefit programs;
 - (6) Current Association contract;
 - (7) Training and educational opportunities; and,
 - (8) Other materials pertaining to the welfare of Association members.
 - c. That materials posted on bulletin boards do not contain anything which violates or has the effect of violating any law, rule, or regulation; and
 - d. That postings are dated and bear the signature of the Association's authorized representative.
7. The Benefits Coordinator or Regional Director or designee shall ensure the Federation of Physicians and Dentists (FPD) Union:
 - a. Where requested in writing, is provided wall space not exceeding 20" x 30" for FPD purchased bulletin boards in any state-controlled facility to which any bargaining Unit employees are assigned;
 - b. That FPD bulletin boards are used only for the following notices:
 - (1) Communicate with and inform Unit employees;
 - (2) Notices of meetings;
 - (3) Notices of elections; and,
 - (4) Other related materials pertaining to the welfare of Union members.
 - c. That postings are dated and bear the signature of the Union's authorized representative.
8. The Benefits Coordinator or Regional Director or designee shall ensure the Federations of Physicians and Dentists (FPD) Selected Exempt Service Supervisory Non-Professional Unit:
 - a. That FPD Selected Exempt Service Supervisory Non-Professional Unit bulletin boards are used only for the following notices:

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

SUBJECT: Solicitation and Distribution of Literature Procedures

SECTION: FDJJ - 1003.19P

- (1) Communicate with and inform Unit employees.
 - (2) Notices of meetings;
 - (3) Notices of elections; and,
 - (4) Other related materials pertaining to the welfare of Union members.
- b. That postings shall not contain inflammatory material about the State or any of its officers or employees.
- c. That postings do not contain anything, which violates or has the effect of violating any law, rule or regulations.
- d. That postings are dated and bear the signature of an authorized Union representative.
9. The Benefits Coordinator or Regional Director or designee shall ensure the State Employees Attorneys Guild (SEAG) Union:
- a. Where requested in writing, and where justified by the number of Unit employees affected, is provided wall space not to exceed 20" x 30" for Union purchased bulletin boards.
 - b. That Union bulletin boards are only used for the following notices:
 - (1) Communication with and inform Unit employees;
 - (2) Notices of meetings;
 - (3) Notices of elections; and,
 - (4) Other related materials pertaining to the welfare of Union members.
 - c. That materials posted on this bulletin board do not contain anything, which violates or has the effect of violating any law, rule, or regulation.
 - d. That postings are dated and bear the signature of an authorized Union representative.

III. RESPONSIBILITY AND DUTIES

A. Employees

1. Employees are permitted to solicit during nonworking hours, even in work areas, as long as such solicitation does not involve other employees who are working.
2. Employees are permitted to distribute literature or materials during nonworking hours in nonwork areas.

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

SUBJECT: Solicitation and Distribution of Literature Procedures

SECTION: FDJJ - 1003.19P

B. Benefits Coordinator or Regional Director or designee

1. May authorize nonemployees to solicit only in nonwork areas during nonworking hours, provided such solicitation does not interfere with the regularly intended use of these areas.
2. May authorize nonemployees to distribute literature or material only in nonwork areas, provided such distribution does not interfere with the regularly intended use of these areas.

IV. ATTACHMENTS N/A