

State Personnel System



HUMAN RESOURCES SELF-ASSESSMENT PROGRAM MANUAL

Division of Human Resource Management

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INTRODUCTION

This voluntary Self-Assessment Guide was developed as a tool for human resource (HR) managers to review their agency's HR policies, procedures and practices. This review can identify whether the included specific practice areas or processes are consistent with key federal and state requirements, as well as commonly accepted standards and best practices. The results obtained from this review can help identify inefficiencies or potential problems in HR practices and areas for improvement or attention.

There is no preferred method to conduct the self-assessment; some HR managers may want to conduct it themselves while others may find it more effective for staff to complete all or portions of the assessment. The method selected should be based on what best suits the needs of the HR manager and the agency and what will provide the most useful or helpful information.

Interpreting the results of the self-assessment and the significance or importance of any findings must be determined by the HR manager who can decide what, if any, follow-up action may be necessary. Such action could be as simple as correcting errors or monitoring processes/procedures, or as involved as developing an action plan to address significant concerns or problem areas.

This guide is comprised of 12 modules, and applies to agency-wide human resource practices and not just the human resource office. **Accurate and complete information will maximize the value of the self-assessment process.**

The Self-Assessment Modules included in this guide are:

- Attendance and Leave
- Classification
- Compensation
- Employee Relations Issues
- Equal Employment Opportunity
- Independent Contractors
- On-Boarding
- Orientation and Training
- Performance Evaluation
- Posting Requirements
- Recruitment and Selection
- Miscellaneous Issues

ATTENDANCE AND LEAVE

HOLIDAY AND OTHER SPECIAL COMPENSATORY LEAVE

1. Does the agency have procedures in place to ensure special compensatory leave is accrued in accordance with **Rules 60L-34.0032(4) and 60L-34.0071(3)(e), Florida Administrative Code (F.A.C.)?**
2. Does the agency have procedures in place to monitor all special compensatory leave balances accrued on or after July 1, 2012, to ensure credits are scheduled as time off within the timeframes provided in the employees' respective collective bargaining contracts? If the credits are not scheduled off within the timeframes, are the other applicable special compensatory leave contract provisions administered appropriately?
3. Does the agency have procedures to ensure unused special compensatory leave credits do not transfer to another agency or pay plan and are paid upon separation if the employee is eligible for a payment in accordance with **Rule 60L-34.0044, F.A.C.?**

REGULAR COMPENSATORY LEAVE

1. Are all balances at or below 240 hours, pursuant to **Rule 60L-34.0043(1), F.A.C.?**
2. Does the agency have procedures to ensure unused regular compensatory leave credits do not transfer to another agency or pay plan in accordance with **Rule 60L-34.0043(3), F.A.C.?**
3. For agencies who provide payment in lieu of regular compensatory leave credits under extraordinary circumstances, has the Department of Management Services (DMS) approved the current agency plan document, pursuant to **Rule 60L-34.0043(5), F.A.C.?**

FAIR LABOR STANDARDS ACT (FLSA) RELATED LEAVE

1. Does the agency have a written policy/internal procedure to ensure that employees are given notice and nursing mothers are provided an accommodation, pursuant to federal requirements of the **Patient Protection and Affordable Care Act of 2010** (amending section 7 of the FLSA)?
2. For agencies that offer FLSA compensatory leave in lieu of overtime pay:
 - a. Are balances at or below 80 hours for agencies with biannual payout dates approved by DMS or 160 hours for agencies with an annual payout date approved by DMS?
 - b. Are payouts occurring biannually or annually in accordance with approved dates each fiscal year?
 - c. Are all employees with a current balance classified as "included" for overtime purposes (Employee Group 01)?

ADMINISTRATIVE LEAVE

1. Does the agency have procedures in place to ensure the appropriate use of administrative leave (including documentation for certain types) pursuant to the *Program Guidelines on Administrative Leave – Prudent Fiscal Management Through Tracking and Monitoring* and other policy documents on administrative leave.?
2. For employees currently on Formal Investigation leave (Code 0046), is the amount of leave taken being monitored to avoid exceeding 90 days, pursuant to the recommended practice in *Rule Interpretation 60L-34-2011-#003, Administrative Leave for Formal Investigations* issued by DMS to ensure prudent management of state resources and minimal operational disruption?
3. Does the agency have procedures in place to ensure the use of Hours Type 0056, Admin-Authorized Other, is for reasons that have been authorized by DMS, either through policy guidance or individual approval on a case-by-case basis?

OTHER LEAVE ISSUES

1. Pursuant to **FLSA** requirements and the various provisions of **Chapter 60L-34, F.A.C.**, is the agency maintaining accurate attendance and leave records for each employee?
2. Pursuant to **FLSA** requirements and **Rule 60L-34.003(2), F.A.C.**, is the agency obtaining approval from DMS for new extended work periods before they are implemented?
3. For agencies who provide educational leave with pay, has the current agency plan document received DMS approval, pursuant to **Rule 60L-34.0072(1), F.A.C.**?
4. Has the agency implemented policies and procedures to ensure compliance with all relevant military leave provisions of the **Uniformed Services Employment and Reemployment Rights Act (USERRA) and Chapters 115 and 250, Florida Statutes (F.S.)**?
5. Is there a procedure in place to ensure that military supplemental pay combined with military pay equals (but does not exceed) the employee's regular pay, in accordance with **section 115.14, F.S.**?
6. For employees with more than 10 consecutive days of sick leave absences, does the agency have medical certification on file, pursuant to **Rule 60L-34.0042(4)(c), F.A.C.**?
7. For Career Service employees who separated after December 31, 2001, and received an annual leave payout, was that payout within the 240-hour lifetime cap set forth in **section 110.219(7)(b), F.S.**?
8. Are Selected Exempt Service (SES)/Senior Management Service (SMS) terminal annual leave payments prorated in accordance with the *Program Guidelines on SES and SMS Proration/Payment Instructions for Annual Leave*, issued by DMS to ensure consistent State Personnel System compliance with the pro-ration requirements of the General Appropriations Act?
9. To ensure prudent administration of state benefits and minimize exposure to civil penalties and discrimination lawsuits, do the agency's practices regarding return to work or light duty

adhere to all requirements of **Chapter 440, F.S.**, the Americans with Disabilities Act, and the Family and Medical Leave Act, where such regulations may be applicable and/or require coordination?

CLASSIFICATION

1. Does the agency have a policy or procedure to periodically review position descriptions to ensure that they are up-to-date and accurately reflect the duties and responsibilities being performed pursuant to **section 110.2035(5)(a), F.S., and Rule 60L-31.003, F.A.C.?**
 - a. Does this review process include a review of the classification of positions to ensure that they are properly classified in accordance with the duties and responsibilities being performed pursuant to **section 110.2035(5)(b), F.S., and Rule 60L-31.004, F.A.C.?**
 - b. Does this review process include a review of positions to ensure internal equity in the classification of positions across agency programs?
2. Does the agency have a policy or procedure to periodically review the Fair Labor Standards Act (FLSA) designation of agency positions to ensure they are properly designated as included or excluded (non-exempt, exempt) in accordance with the provisions of the **FLSA** pursuant to **Rule 60L-34.0031, F.A.C.?**
3. Does the agency follow the DMS procedure outlined in *Agency Reorganization Requests Program Manual* when developing reorganization packages for submission to DMS and the Office of Policy and Budget?

COMPENSATION

1. Does the agency have a policy or procedure for recommending, documenting, and implementing salary increases or decreases which also addresses internal equity in pay administration pursuant to **Rule 60L-32.0011, F.A.C.?**
2. Does the agency have a policy or procedure to ensure compliance with the FLSA overtime compensation requirements including the accrual and payment of FLSA special compensatory leave pursuant to **Rule 60L-34.0031, F.A.C.?**
3. Does the agency have a policy or procedure for the review of dual employment and dual compensation requests to determine if any overtime liability exists pursuant to **section 216.262(1)(e), F.S., and Rule 60L-32.003, F.A.C.?**
4. Does the agency periodically review all approved salary additives to ensure that the basis for the additive approval is still valid, i.e., is the employee still performing activities to justify continuing the additive pursuant to **section 110.2035(7), F.S., and Rule 60L-32.0012, F.A.C.?**
5. Does the agency have a policy or procedure regarding the approval of perquisites to ensure that they are “in the best interest of the state due to exceptional or unique requirements of the position” pursuant to **section 216.262(1)(f), F.S.?**

EMPLOYEE RELATIONS ISSUES

1. Does the agency have a representative attend collective bargaining negotiations to provide input relative to the impact of state or union collective bargaining proposals on your agency management and employees?
2. Does the agency respond to requests from unions to meet and consult on agency-specific activities that may affect unit employees in accordance with **collective bargaining agreements**?
3. Does the agency notify DMS labor relations staff members when changes in terms and conditions of employment are proposed for bargaining unit employees prior to implementation?
4. Does the agency ensure that all agency employees have reasonable access to the agency's personnel manual, rules, statutes, policies, and procedures regarding the minimal standards of conduct, disciplinary actions, workforce reductions and performance evaluations pursuant to **section 110.227(1), (2) and (5), F. S., and Rule 60L-35 and 60L-36.005(1) and (5), F.A.C.?**
5. Does the agency uphold an employee's right to union representation during investigatory conferences/meetings when a reasonable person would believe that they may be disciplined or suffer other adverse consequences as a result of participating in the conference/meeting, in accordance with **Weingarten Rights and collective bargaining agreements**?
6. Does the agency ensure that it has sufficient evidence (cause) that an employee failed to comply with an established standard of conduct or expectation prior to the issuance of disciplinary action pursuant to **section 110.227(1), F.S., Rule 60L-36.005(3) and (4), F.A.C., and collective bargaining agreements**?
7. Does the agency provide required timely notice of the employee's right to appeal or grieve disciplinary actions pursuant to **section 110.227(5), F.S., and Rule 60L-36.005(5), F.A.C.?**
8. Does the agency attempt to resolve grievances (Career Service and collective bargaining) and respond to those presented by agency employees or their representatives within established timeframes pursuant to **section 110.227(4), F.S., Rule 60L-36.005(5), F.A.C., and collective bargaining agreements**?

EQUAL EMPLOYMENT OPPORTUNITY

1. Does the agency have a current Affirmative Action Plan in place which establishes goals for the full utilization of women, minorities, and individuals who have a disability pursuant to **sections 110.112 (1), (2)(a), and (3)(c)1., F.S., and Rule 60L-40.002, F.A.C.?**
2. Does the agency have an affirmative action/equal employment opportunity officer who is performing duties pursuant to **section 110.112(2)(d), F.S.?**
3. Where applicable, has the agency attempted to correct underutilization and adverse impact through the development and implementation of action oriented programs pursuant to **Rule 60L-40.002, F.A.C., and 29 Code of Federal Regulations (C.F.R.) § 1607.17, Uniform Guidelines on Employee Selection Procedures?**
4. To comply with biennially reporting to the Equal Employment Opportunity Commission pursuant to **29, C.F.R., § 1602.32**, has the race/ethnicity and gender of each agency employee been entered into the People First system?
5. Does the agency have a procedure in place to investigate and resolve complaints of discrimination pursuant to **Rule 60L-36.004, F.A.C., and the Equal Employment Opportunity Commission's Enforcement Guidance number 915.002: "Vicarious Employer Liability for Unlawful Harassment by Supervisors"**?
6. Does the agency have clearly defined policies and procedures explaining the American's with Disabilities Act and how to handle requests for accommodation from employees and applicants pursuant to **42 United States Code (U.S.C.) § 12115?**
7. Does the agency maintain documentation on allegations of discrimination filed against the agency through the Equal Employment Opportunity Commission or the Florida Commission on Human Relations?
8. Does the agency monitor the number and location of discrimination and harassment charges and take appropriate preventive measures to reinforce agency policy and limit liability for such conduct (e.g. staff training, periodic distribution of agency EEO policy, etc.)?

INDEPENDENT CONTRACTORS

1. Does the agency have a policy or procedure for reviewing contractor positions using questions similar to those listed below in order to determine whether workers filling such positions are bona fide independent contractors?
 - a. **Profit or loss.** Can the worker make a profit or suffer a loss as a result of the work, aside from the money earned from the project? (This should involve real economic risk, not just the risk of not getting paid.)
 - b. **Investment.** Does the worker have an investment in the equipment and facilities used to do the work? (The greater the investment, the more likely independent contractor status.)
 - c. **Works for more than one firm.** Does the person work for more than one company at a time? (This tends to indicate independent contractor status, but isn't conclusive since employees can also work for more than one employer.)
 - d. **Services offered to the general public.** Does the worker offer services to the general public?
 - e. **Instructions.** Does the agency have the right to give the worker instructions about when, where, and how to work? (This shows control over the worker.)
 - f. **Training.** Does the agency train the worker to do the job in a particular way? (Independent contractors are already trained.)
 - g. **Integration.** Are the worker's services so important to your business that they have become a necessary part of the business? (This may show that the worker is subject to your control.)
 - h. **Services rendered personally.** Must the worker provide the services personally, as opposed to delegating tasks to someone else? (This indicates that you are interested in the methods employed, and not just the results.)
 - i. **Hiring assistants.** Does the agency hire, supervise, and pay the worker's assistants? (Independent contractors hire and pay their own staff.)
 - j. **Continuing relationship.** Is there an ongoing relationship between the worker and the agency? (A relationship can be considered ongoing if services are performed frequently, but irregularly.)
 - k. **Work hours.** Does the agency set the worker's hours? (Independent contractors are masters of their own time.)
 - l. **Full-time work.** Must the worker spend all of his or her time on your job? (Independent contractors choose when and where they will work.)
 - m. **Work done on premises.** Must the individual work on your premises, or does the agency control the route or location where the work must be performed? (Answering no doesn't by itself mean independent contractor status.)

- n. **Sequence.** Does the agency have the right to determine the order in which services are performed? (This shows control over the worker.)
- o. **Reports.** Must the worker give the agency reports accounting for his or her actions? (This may show lack of independence.)
- p. **Pay Schedules.** Does the agency pay the worker by hour, week, or month? (Independent contractors are generally paid by the job or commission, although by industry practice, some are paid by the hour.)
- q. **Expenses.** Does the agency pay the worker's business or travel costs? (This tends to show control.)
- r. **Tools and materials.** Does the agency provide the worker with equipment, tools, or materials? (Independent contractors generally supply the materials for the job and use their own tools and equipment.)
- s. **Right to fire.** Can the agency fire the worker? (An independent contractor can't be fired without subjecting you to the risk of breach of contract lawsuit.)
- t. **Worker's right to quit.** Can the worker quit at any time, without incurring liability? (An independent contractor has a legal obligation to complete the contract.)

Generally, if “**Yes**” is the answer to questions a. through d., the worker is probably an independent contractor. However, if “**Yes**” is the answer to any of the remaining questions (e. through t.) it means the worker may be at risk of being considered an agency employee by the Internal Revenue Service.

Note that independent contractor status may be assessed using other factors depending upon the purpose of the assessment. The Internal Revenue Service (IRS) and the U.S. Department of Labor (DOL) have developed guidance which can be useful in assisting agencies in distinguishing between state employees and independent contractors for the purposes of tax obligations, unemployment compensation, retirement, etc.

INTERNAL REVENUE SERVICE

The IRS uses factors drawn from the common law in determining whether a person is an employee or independent contractor and examines the relationship of the worker and the business. In any employee-independent contractor determination, all information that provides evidence of the degree of control and the degree of independence must be considered.

Facts that provide evidence of the degree of control and independence fall into three categories:

1. **Behavioral control.** Facts that show whether the business has a right to direct and control how the worker does the task for which the worker is hired include the type and degree of:
 - a. **Instructions that the business gives to the worker.** An employee is generally subject to the business' instructions about when, where, and how to work. All of the following are examples of types of instructions about how to do work.
 1. When and where to do the work.
 2. What tools or equipment to use.

3. What workers to hire or to assist with the work.
4. Where to purchase supplies and services.
5. What work must be performed by a specified individual.
6. What order or sequence to follow.

The amount of instruction needed varies among different jobs. Even if no instructions are given, sufficient behavioral control may exist if the employer has the right to control how the work results are achieved. A business may lack the knowledge to instruct some highly specialized professionals; in other cases, the task may require little or no instruction. The key consideration is whether the business has retained the right to control the details of a worker's performance or instead has given up that right.

- b. Training that the business gives to the worker.** An employee may be trained to perform services in a particular manner. Independent contractors ordinarily use their own methods.
2. **Financial control.** Facts that show whether the business has a right to control the business aspects of the worker's job include:
 - a. The extent to which the worker has unreimbursed business expenses.** Independent contractors are more likely to have unreimbursed expenses than are employees. Fixed ongoing costs that are incurred regardless of whether work is currently being performed are especially important. However, employees may also incur unreimbursed expenses in connection with the services that they perform for their employer.
 - b. The extent of the worker's investment.** An independent contractor often has a significant investment in the facilities or tools he or she uses in performing services for someone else. However, a significant investment is not necessary for independent contractor status.
 - c. The extent to which the worker makes his or her services available to the relevant market.** An independent contractor is generally free to seek out business opportunities. Independent contractors often advertise, maintain a visible business location, and are available to work in the relevant market.
 - d. How the business pays the worker.** An employee is generally guaranteed a regular wage amount for an hourly, weekly, or other period of time. This usually indicates that a worker is an employee, even when the wage or salary is supplemented by a commission. An independent contractor is often paid a flat fee or on a time and materials basis for the job. However, it is common in some professions, such as law, to pay independent contractors hourly.
 - e. The extent to which the worker can realize a profit or loss.** An independent contractor can make a profit or loss.
3. **Type of relationship.** Facts that show the parties' type of relationship include:
 - a. Written contracts describing the relationship the parties intended to create.**
 - b. Whether or not the business provides the worker with employee-type benefits, such as insurance, a pension plan, vacation pay, or sick pay.**

- c. **The permanency of the relationship.** If you engage a worker with the expectation that the relationship will continue indefinitely, rather than for a specific project or period, this is generally considered evidence that your intent was to create an employer-employee relationship.
- d. **The extent to which services performed by the worker are a key aspect of the regular business of the company.** If a worker provides services that are a key aspect of your regular business activity, it is more likely that you'll have the right to direct and control his or her activities. For example, if a law firm hires an attorney, it is likely that it will present the attorney's work as its own and would have the right to control or direct that work. This would indicate an employer-employee relationship.

DEPARTMENT OF LABOR (DOL)

By contrast to the IRS factors which place primary emphasis on the employer's control of the worker, the U.S. Department of Labor, Wage and Hour Division, uses a set of factors described as the "economic realities test" which have been adopted by the courts in interpreting the Fair Labor Standards Act. These factors are designed to determine whether the worker is economically dependent upon the employer or truly in business for him or herself.

The presumption of an employee rather than an independent contractor status is stronger under the DOL and court application of the economic realities test which focuses on answers to the following questions:

1. Is the work an integral part of the employer's business?
2. Does the worker's managerial skill affect the worker's opportunity for profit or loss?
3. How does the worker's relative investment compare to the employer's investment?
4. Does the work performed require special skill and initiative?
5. Is the relationship between the worker and the employer permanent or indefinite?
6. What is the nature and degree of the employer's control?

For further information, please refer to the DOL website at: www.dol.gov

ON-BOARDING

1. For males hired into established positions on or after October 1, 1988, who were born on or after October 1, 1962, is there documented proof on file of Selective Service registration at time of hire pursuant to **section 110.1128, F.S.**?
2. For new hires since July 1, 2010, is there a completed Florida Retirement System Certification Form or similar documentation in order to comply with Florida Retirement System requirements regarding re-employment pursuant to **sections 112.05(4)(b), 121.091(9), 122.16(2)(b), 238.181(2)(b), F.S., and Rule 60S-4.012, F.A.C.**?
3. For employees hired by the agency after November 6, 1986, pursuant to **Public Law 99-603 (Act of November 6, 1986) Immigration Reform and Control Act of 1986:**
 - a. Is there a completed Form I-9 on file?
 - b. Was the Form I-9 completed by the third business day of hire?
 - c. Are back-up documents properly filed with the I-9 form?
 - d. Is the I-9 form and back-up documentation filed in a manner that can be easily retrieved for federal audit purposes?
4. For employees hired as of the agency's implementation of E-Verify and their respective Memorandum of Agreement with the Department of Homeland Security:
 - a. Was the new hire verified in the E-Verify system by the third business day after the employee starts work for pay?
 - b. Has the E-Verify case verification number been recorded on the new hire's Form I-9 or is there a print out of the E-Verify screen on file with the Form I-9?

ORIENTATION AND TRAINING

In accordance with **section 110.235, F.S.**, and to ensure modern management principles are being met:

1. Does the agency provide new employee orientation to all employees?
2. Does new employee orientation cover essential topics such as: performance evaluation process; attendance and leave policies; sexual harassment; discrimination; required agency policies and procedures (e.g., tobacco use, drug- free workplace, disciplinary standards, etc.)?
3. To ensure consistent application of agency policies and procedures, does the agency require supervisory skills training for new supervisors and managers?
4. Does the agency have established training programs in compliance with agency-specific statutory requirements?
5. Pursuant to **section 23.30(4)(i), F.S.**, does the agency provide customer service training?
6. Pursuant to **Executive Order #11-03**, are all agency employees familiar with ethics, public records and open meeting requirements?
7. Are there controls in place to ensure that the courses that employees are attending during work hours are to meet agency or professional development needs?
8. Does the agency conduct post training analyses to evaluate training and course effectiveness in order to continually improve and meet employee needs?

PERFORMANCE EVALUATION

For all Career Service employees, and Selected Exempt Service employees in collective bargaining units (pursuant to **Rule 60L-35, F.A.C.**):

1. Confirm that performance expectations are established at the beginning of the evaluation period within the People First Performance & Talent Management module, and confirm that the rater conducts a performance planning session with each employee to review the performance expectations and the rating scale, pursuant to **Rule 60L-35.003(1) and (2)(a) F.A.C.**
2. Are performance expectations based on specific job-related criteria, and do they describe satisfactory performance of an essential duty or responsibility, or satisfactory demonstration of an agency attribute or value, pursuant to **Rules 60L-35.002(5) and 60L-35.003(2), F.A.C.?**
3. If an employee's performance expectations materially change or additional expectations are added to the current evaluation during the evaluation period, is the rater required to close out the evaluation and set new expectations in accordance with *Policy Guideline HRM #2017-015: Administration of the Performance Management Process?*
4. Are employees (other than probationary employees) receiving at least one performance evaluation annually and is the evaluation completed within sixty calendar days of the agency evaluation date, pursuant to **Rule 60L-35.003(2)(b), F.A.C.?** (The uniform annual evaluation period for State Personnel System employees is July 1 through June 30.)
5. Are employees provided written notice of performance deficiencies when required, pursuant to **Rule 60L-35.003(2)(d), F.A.C.?**
6. Are employees provided comments related to their job performance for each performance expectation rating of "Exceptional," "Above Expectation," "Below Expectation," and "Unacceptable", pursuant to **Rule 60L-35.003(3)(b) and (c), F.A.C.?**

Note: While not required by the rule, the People First Performance & Talent Management module requires supervisors to include a comment in performance expectations with ratings of "Meets Expectation." For these ratings, comments may be related to job performance or may simply be "N/A."

7. Are employees on an extended leave of absence on the evaluation date receiving a rating of "None Given" in accordance with *Policy Guideline HRM #2017-016: Performance Evaluations for Employees on Extended Leave and the Impact on Employment Actions*, issued to ensure appropriate federal protections to employees on extended leave?
8. Is there a mechanism in place, such as supervisory training or supervisory/managerial meetings, to ensure the application of the performance evaluation system is being applied consistently within the agency in accordance with sound management principles pursuant to **section 110.235, F.S.?**

POSTING REQUIREMENTS

1. Are current revisions of the following federally required posters displayed in an area where all employees and applicants can easily see them:
 - a. *Equal Employment Opportunity is the Law* pursuant to **42, U.S.C. § 2000e-10(a); 42 U.S.C. § 12115; 29 U.S.C. § 627; 29 C.F.R § 1635.10(c)**?
 - b. *Employee Rights Under the Family and Medical Leave Act* pursuant to **29 U.S.C. § 2619**?
 - c. *Employee Rights Under the Fair Labor Standards Act* pursuant to **29 C.F.R. § 516.4**?
 - d. *Uniformed Services Employment and Reemployment Rights Act* pursuant to **38 U.S.C. § 4334**?
 - e. *E-Verify* pursuant to the **E-Verify Memorandum of Understanding for Employers with the Department of Homeland Security (refer to Executive Order #11-02 regarding agency participation in using E-Verify)**?
 - f. *Right to Work* pursuant to the **E-Verify Memorandum of Understanding for Employers with the Department of Homeland Security (refer to Executive Order #11-02 regarding agency participation in using E-Verify)**?

2. Are current versions of the following state required posters displayed in an area where all employees and applicants can easily see them:
 - a. *Florida Child Labor Laws* pursuant to **section 450.045(2), F.S.**?
 - b. *Florida Minimum Wage* pursuant to **section 448.109, F.S.**?
 - c. *Florida Law Prohibits Discrimination* pursuant to **section 760.10(1), F.S.**?
 - d. *Florida Reemployment Assistance Program Law* pursuant to **section 443.151(1), F.S.**?
 - e. *Workers' Comp Works for You* pursuant to **section 440.40, F.S.**?

3. For agencies receiving federal financial assistance, are required program notices posted?

RECRUITMENT AND SELECTION

1. Are recruitment and selection processes supported by written policies and procedures that are up-to-date, accurate, and complete?
2. Are policies and procedures in place to ensure open and competitive recruitment for Career Service positions?
3. Are policies and procedures in place to ensure job vacancy announcements include notices regarding:
 - a. Equal Employment Opportunity pursuant to **41 C.F.R. § 60-1.41(d)**
 - b. Americans with Disabilities Act accommodation requests pursuant to **29 C.F.R. § 1630.9**
 - c. Veterans' Preference eligibility where applicable pursuant to **section 295.07, F.S.**
 - d. Drug-Free Workplace testing pursuant to **section 112.0455(6)(b), F.S.**
 - e. E-Verify identity and employment eligibility requirements pursuant to the **Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208); Basic Pilot Program Extension and Expansion Act of 2003 (P.L. 208.156); and Executive Order #11-02, Governor Rick Scott.**
 - f. Selective Service registration requirement for males born on or after October 1, 1962, pursuant to **section 110.1128, F.S.**
4. Are minimum job qualifications reviewed to ensure that they are job related and documented on the position description?
5. Does the agency measure recruiting effectiveness by tracking and evaluating recruited employees and the total dollar costs of different recruiting methods?
6. Are recruitment sources periodically evaluated to ensure that they are meeting the needs of the organization?
7. If the agency assesses candidates through work samples, are the assessments reviewed for their accuracy and consistent application?
8. If the agency utilizes a formal test assessment of candidates, is there documentation supporting the validity of the test that is administered?
9. Where applicable, does the agency conduct validity studies on tests and other selection procedures that have been determined to have an adverse impact on employment opportunities of members of any race, sex, or ethnic group pursuant to **29 C.F.R. § 1607.17, Uniform Guidelines on Employee Selection Procedures?**
10. Are controls in place (post-selection HR audit) to ensure that all documentation of the recruitment and selection process is available, accurate, and complete (this includes candidate profiles, resumes, test and/or assessment results, interview questions and answers, etc.)?
11. Is the final selection decision thoroughly documented?

RECRUITMENT AND SELECTION

12. Is complete and accurate documentation of the selection process maintained in accordance with the state and federal retention schedules?
13. Are policies and procedures up-to-date and written in compliance with state statutes and rules and federal regulations; and are agency managers and supervisors complying with these requirements?
14. Are the employment reference checks conducted on a selected candidate sufficient to verify the candidate met the requirements established for the position, to include possession of required education and/or licensure?
15. Are criminal background checks conducted on all positions deemed “sensitive”?
16. Is there documented proof of Selective Service registration at time of appointment for selected male applicants born on or after October 1, 1962, in accordance with *Program Guideline: Selective Service Registration*?
17. Is there documented proof of Selective Service registration at time of promotion for selected male employee applicants born on or after October 1, 1962, in accordance with *Program Guideline: Selective Service Registration*?
18. Is Veterans’ Preference administered and documented for Career Service positions in accordance with **section 295.07, F.S.**?

MISCELLANEOUS ISSUES

MANAGEMENT ISSUES

1. Are human resource policies and practices reviewed on a periodic basis to ensure accuracy, efficiency, and effectiveness?
2. Does the agency have a policy outlining the proper maintenance of personnel files?
 - a. Does the policy on personnel files differentiate between items that are placed in the regular personnel file and items that are placed in a confidential medical file?
3. Does the agency track and analyze data on employment trends, workforce composition, turnover, age and length of service, leave usage, and overtime?
4. Are exit interviews/surveys conducted with all employees who voluntarily terminate?
 - a. Is the information collected, compiled, analyzed and communicated to management?
 - b. Are actions taken to address important issues brought out by the exit interviews/surveys?
5. Does the agency periodically conduct employee attitude surveys?
 - a. Is the confidentiality of individuals' responses assured?
 - b. Does executive management review the results of the survey and address important issues brought out by the survey?

WORKPLACE VIOLENCE

1. Does the agency have a policy on workplace violence?
2. Does the agency have controls in place to ensure that prompt action is taken when violent acts in the workplace occur?
3. Are allegations of workplace violence investigated in a timely manner?
4. Are managers trained to deal with violent and threatening behavior in the workplace?

TUITION WAIVER PROGRAM

1. Is the total calendar year value of the waiver being tracked for all participants?
2. Are participants who have received waivers in excess of \$5,250 in a calendar year being reported to the Bureau of State Payrolls via the On-Line Non-Cash Adjustments System using Earning Code 9103-Taxable Educational Assistance?