

## Personnel and Civil Service

The Florida Legislature created a Civil Service System for Escambia County's governmental employees by a special act in 1951. Since its passage in 1951, there have been over forty-five amendments to the Act.

Initially, when the Civil Service Act was passed, essentially all local governmental employees were covered by the Act, including employees of the County Commission, the Constitutional Officers, the School District (except teachers), and the Santa Rosa Island Authority. After its creation, the provisions of the Civil Service Act were also extended to cover employees of the Escambia County Utilities Authority.

In 2001, the Act was amended to allow the Supervisor of Elections, the Tax Collector, the Property Appraiser, the Clerk of Court, and the District School Board to withdraw from the Civil Service System. All of the foregoing, with the exception of the Supervisor of Elections, have since elected to withdraw from the Civil Service System.

The County Commission has requested a further amendment to the Act which would allow it to withdraw from the Civil Service System. In testimony before the Charter Commission, the Sheriff, Escambia County Utilities Authority, and Santa Rosa Island Authority also indicated they desired to withdraw from the System.

The primary arguments for passage of the 1951 special act creating Escambia County's Civil Service System were:

- (1) Elimination of the "spoils system" that allowed elected officials to place their political supporters in governmental jobs.
- (2) Creation of a uniform system of recruiting, testing, and selecting employees that would result in efficiencies of scale.
- (3) Later, it was also argued that establishment of a single pay plan would promote fairness in pay and lessen "job hopping " among the employees of the various appointing authorities.

To administer the Civil Service System, the Act, through amendments to the 1951 law, created a Civil Service Board composed of five members, all of whom are appointed by the Governor. The duties and responsibilities of the Board, as specified in the Act, are:

- (1) Recruiting, selecting and advancing employees on the basis of their relative job-related ability, knowledge, skills and personal characteristics, including open consideration of qualified applicants for initial appointment.
- (2) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance and separating employees whose inadequate performance has not been corrected.
- (3) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, national origin, age, physical disability, sex or religious

creed and with proper regard for their privacy and constitutional rights as citizens.

- (4) Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office.

The Board hears and determines employee grievances, appeals from disciplinary actions and unsatisfactory performance evaluations and complaints relating to the administration of the Act or the Civil Service Rules. The Board also ascertains and records the duties and responsibilities pertaining to all positions in the classified service and assigns each such position to a pay grade or grades. It recruits personnel for all classified positions, holds competitive tests for the applicants, and maintains a roster of applicants meeting the minimum qualifications for the classified positions.

Of the sixty-seven counties in Florida, only three, Escambia, Santa Rosa, and Hillsborough, have Civil Service Boards established by special act. In most other counties, personnel management is separated from the regulating of personnel functions. Almost all of the counties that were not operating under a Civil Service law enacted by the Florida Legislature, according to a study performed by the University of West Florida Whitman Center for Public Service in 1983, contended they had merit systems providing for the selection and classification of employees and an appeals procedure for aggrieved employees.

In the drafting of a charter, the Charter Commission will be considering the various options available to it in establishing a personnel system that will promote the efficient and effective conduct of county government and protect the rights of all local governmental employees.

Some of the issues that will need to be addressed are:

- (1) Is the Civil Service System for Escambia County as established by the 1951 special act, as amended and restated, the best personnel system for the county and its employees?
- (2) If so, should all local governmental employees, including the employees of the Constitutional Officers who have withdrawn from the system be covered by the Civil Service System?
- (3) Should personnel management be separated from regulation of personnel functions with the appointing authorities, i.e., the County Commission, Constitutional Officers, Escambia County Utilities Authority, and Santa Rosa Island Authority being responsible for personnel management and an independent board being responsible for regulating personnel functions?
- (4) If an independent board is established to regulate personnel functions or to act as an appeals board for employee grievances, should the members of that board be appointed by the Governor or should the members of that board be selected by the employees and appointing authorities?
- (5) If the existing Civil Service System is abolished, should a merit

- system be established in its place by the County Commission?
- (6) If a merit system is established by the County Commission, should the employees of the Constitutional Officers be covered by the same system or should the Constitutional Officers have the option of establishing their own personnel systems?

The foregoing is not intended to be an exhaustive list of the issues to be considered by the Charter Commission in establishing a personnel system for county government and its employees.

The Charter Commission has already heard from county officials regarding their views of the present Civil Service System. The commission now desires to hear from personnel presently covered or previously covered by the Civil Service System and from other taxpayers in the county regarding their opinions on a personnel system for the county.