

# RULE

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<b>LEGAL AUTHORITY</b>	<b>6Hx23-2.02</b>	<b>3/17/09 Revision #09-3</b>

## 6Hx23-2.02 GENERAL EMPLOYMENT RULES

- I. Although a College employee may report to duty prior to official action of the Board of Trustees, such employment shall be considered temporary until action is taken by the Board of Trustees at its next regular meeting. Should the Board fail to approve the appointment as recommended, the temporary employment shall be terminated with payment for the days of service rendered.
- II. The President shall have the prerogative of assigning College employees to any one or any number of the sites of the College.
- III. All College employees are expected to assume all responsibilities and duties assigned to them by the President.
- IV. No person less than 18 years of age shall be employed by the College in a budgeted position.
- V. The Board of Trustees of St. Petersburg College subscribes to an open door policy regarding the President's Office. Any employee, student, or other person is encouraged to make an appointment whenever there are matters to discuss with the President.
- VI. The President shall have the authority to require an applicant for employment to submit to a physical or psychiatric examination at the applicant's expense.
- VII. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance by College employees is prohibited. Any employee who violates this Rule may be disciplined and such discipline may include dismissal from employment. The College may also require an employee who violates this rule to take part in a drug rehabilitation program.
- VIII. Former employees who terminate their employment in good standing are eligible to be considered for re-employment. All applicants, including former employees, shall meet the stated current qualification requirements of the available position.

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- IX. Conviction of a federal or state misdemeanor (other than minor traffic offenses) which adversely affects the College may result in a reprimand, suspension or dismissal of the convicted employee.
- X. Conviction of a federal or state felony which adversely affects the College will result in suspension or dismissal of the convicted employee.
- XI. It shall be the responsibility of the President to approve position descriptions.
- XII. Qualifications listed in a position description are used as a guideline to hiring. Other qualifications may be considered where there is a strong indirect or related experiential record that would reasonably relate to the candidate's ability to perform the duties of the position. The College will attempt to hire those candidates who can uniquely contribute to the mission of the College or the College's strategic initiatives.
- XIII. Other Personnel Services (OPS) - Temporary Employees
  - A. Employees who are filling temporary positions shall not be eligible for membership in the Florida Retirement System nor shall they be eligible for any of the personal benefits offered by the College to employees in regular established positions.
  - B. The following categories of positions are considered temporary positions.
    - 1. An employment position which will not exist beyond four (4) consecutive calendar months (any part of a month is considered a whole month); or
    - 2. An employment position which could be classified under one of the following types of positions regardless of whether it will exist beyond four (4) consecutive calendar months:
      - a. Casual laborers (persons who work intermittently when there are specific tasks to be performed).

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- b. Student employees (persons who are bona fide students in an accredited educational or vocational program who perform services for a public employer in a temporary position set aside strictly for students).
- c. Work-study employees (students participating in the Federal work-study program).
- d. Temporary instructional personnel (persons appointed to teach with no expectation of continuation beyond one session at a time).
- e. Substitute teachers (persons not on contract called to work intermittently to substitute).
- f. Consultants and other professional persons on contract.
- g. Persons on call (employees who are called to work unexpectedly for brief periods and whose employment ceases when the purpose for being called is satisfied).
- h. Job Placement Training Act (JPTA) participants.
- i. Non-salaried officials (persons elected or appointed to a position in which they receive no compensation, but receive expenses, e.g. per diem or an honorarium).
- j. Temporary non-instructional personnel (persons appointed to non-teaching positions which are established with no expectation of continuation beyond one session at a time).
- k. Temporary replacements (persons employed for six (6) months or less, to perform the duties of an incumbent of a regularly established position who is on an approved leave of absence).

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- C. Temporary employees who are transferred to a regular budgeted position may receive experience credit for the time employed in the temporary capacity. This experience credit is for salary computation purposes only and does not count for vacation accrual nor for service credit for retirement purposes.

## XIV. Employee Tuition Benefit

- A. Full-time employees who have been employed at least six (6) months in a budgeted position at the College and their spouses and dependent children shall be permitted to enroll in a maximum of eighteen (18) credit or equivalent hours per academic year per person without the payment of tuition or out-of-state fees, and part-time employees who have been employed at least six (6) months in a budgeted position at the college shall be permitted to enroll in a maximum of nine (9) credit or equivalent hours per academic year, without the payment of tuition or out-of-state fees, until the designated funding level in the College budget has been reached in the College's payment of the fees. All individuals benefiting from this Rule are subject to the following:
1. The employee must be working at the time of commencement of classes in order to be eligible.
  2. A dependent child is defined, for lower-division and upper-division coursework, as an individual aged 23 or under who is the son, daughter, adopted son, or adopted daughter of the employee or employee's spouse.
  3. If the employee or dependent is not eligible for the waiver during Session I, then the eighteen (18) hours is reduced to twelve (12) and the nine (9) hours is reduced to six.
  4. If the employee or dependent is not eligible for the waiver during Sessions I and II, then the full-time employee and dependents are eligible for six (6) hours during Session III and the budgeted part-time

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employee will be eligible for three (3) hours for Session III.

5. The total number of hours waived must equal the total number of hours that are applied for under this waiver. Courses cannot be partially paid for and partially waived.
6. Employees may attend classes only after their regularly scheduled work hours unless the class is designated by the President as part of an in-house training program.
7. The course fee exemption will become null and void and payment will be immediately due from the employee in the following situations:
  - a. The student drops the course at a time after the permissible drop period;
  - b. The student changes to audit status with the exception of a full-time budgeted faculty member who elects to receive a pass/fail grade for a job-related credit course which has been recommended by the program director and director of Human Resources (This does not apply to a degree-seeking faculty member);
  - c. The student receives a grade lower than a "C", or fails to achieve an "S" (Satisfactory) in a course in which an "S" may be awarded; or
  - d. The student receives a grade of "I" (Incomplete) and is unable to achieve a "C" or better within the first two (2) weeks of the subsequent session. Should the student at a later point in such subsequent sessions achieve a "C" or better, the payment will be refunded to the employee.

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- e. Any hours paid for by the employee under this subsection shall not be counted against the number of entitlement hours for that academic year.
  - f. Notwithstanding the above, PEM 1101, Personal Fitness, may be taken by college employees on an audit basis under this rule.
8. This section shall apply to credit courses only.
9. Payments which become due under Section (3) above may be deducted from the employee's paycheck(s).
- B. Full-time employees who have been employed at least six (6) months in a budgeted position at the college are authorized to enroll on a space-available basis in job-related courses (credit or non-credit) offered by the college, without the payment of student fees, subject to the following:
- 1. The class is approved in advance as job related by the employee's supervisor; and
  - 2. The employee participates in the class as a non-registrant and on an audit basis so that no grade or credit will be awarded.
- XV. Eligible employees may elect to participate in the Florida Retirement System's Deferred Retirement Option Program.

Specific Authority: 1001.64(2) & (4), F.S.

Law Implemented: 121.091(13), 1001.64(18), 1012.855, F.S.; Rule 6A-14.0261, F.A.C. Florida Civil Rights Act of 1992, 760, F.S.; Civil Rights Act of 1964, as amended; Age Discrimination in Employment Act; Equal Employment Opportunity Act of 1972; Office of Federal Contract Compliance, 41 CFR 60; Drug-Free Workplace Act of 1988.

History: Formerly - 6Hx23-6-1.01, 6Hx23-6-3.03(H), 6Hx23-6-5.01, 6Hx23-6-7.09(B)(2). Adopted - 7/15/71. Readopted - 10/25/77. Amended - 8/17/71, 11/16/78, 3/9/79, 2/28/80, 6/24/80, 4/16/81,

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6/29/81, 9/17/81, 11/30/81, Emergency Amendment 7/21/83, 8/18/83, 10/18/83, 4/19/84, 6/24/85, 2/20/86, 12/11/86, 2/18/88, 4/27/89, 6/15/89, 6/19/90. Filed - 6/19/90. Effective - Session I, 1990-91, 8/22/91. Filed- 8/22/91. Effective- 8/22/91; 7/20/93. Filed - 7/20/93. Effective - Session I, 1993-94; 6/15/98. Filed - 6/15/98 Effective - 6/15/98; 8/21/01. Filed – 8/21/01. Effective – 8/21/01; 9/11/01. Filed – 9/11/01. Effective – 9/11/01; 2/18/03. Filed – 2/18/03. Effective – 2/18/03; 9/23/03. Filed – 9/23/03. Effective – 9/23/03; 7/9/05. Filed – 7/19/05. Effective – 7/19/05; 7/15/08. Filed - 7/15/08. Effective - Session I, 2008-09; 3/17/09. Filed – 3/17/09. Effective – 3/17/09.

[Employee course fee exemption request procedure is located under Fees and Tuition, Waiver of, P6Hx23-5.20.]