

**SUBJECT
MEMBER SELECTION**

**POLICY NUMBER
5.04**



POLICY MAINTENANCE ADMINISTRATOR: Chief, Bureau of Personnel Services

PURPOSE/SCOPE: To establish department policy and procedures for uniform and consistent selection practices and to ensure compliance with all Federal, State and department rules, laws and policies.

I. AUTHORITY

Section 110.1127, Florida Statutes, Employee background screening and investigations.

Section 110.211, Florida Statutes, Recruitment.

Section 110.213, Florida Statutes, Selection.

Section 110.2135, Florida Statutes, Preference in employment, reemployment, promotion, and retention.

Section 110.217, Florida Statutes, Appointment actions and status.

Section 110.227, Florida Statutes, Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.

Section 112.011, Florida Statutes, Disqualification from licensing and public employment based on criminal conviction.

Section 119.07, Florida Statutes, Inspection and copying of records; photographing public records; fees; exemptions.

Chapter 295, Florida Statutes, Laws Relating to Veterans: General Provisions

Chapter 55A-7, Florida Administrative Code, Veterans' Preference in Appointment and Retention in Employment

Chapter 60L-33, Florida Administrative Code, Appointments and Status

Title 49, Code of Federal Regulations (CFR), Part 391, Subpart E, Physical Qualifications and Examinations

Americans with Disabilities Act of 1990

Executive Director SIGNED ORIGINAL ON FILE	Effective Date 11/01/1983
Page 1 of 3	Revision Date 08/03/2020

STATE OF FLORIDA
Department of Highway Safety and Motor Vehicles

SUBJECT MEMBER SELECTION	POLICY 5.04	PAGE 2 of 3
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Governor's Executive Order 19-11, on Ethics, Open Government, and Preventing Sexual Harassment, effective January 8, 2019

II. RELATED POLICIES (<http://hsmvsafetynet/hsmvpolicies/Pages/PolicyIndex.aspx>)

- MP 3.01 – Equal Employment Opportunity/Affirmative Action
- MP 3.02 – The Americans with Disabilities Act
- MP 3.05 – Claims of Discrimination to Include Sexual Harassment
- MP 3.06 – Disciplinary Process
- MP 3.07 – Drug-Free Workplace
- MP 3.08 – Ethics and Personal Responsibility
- MP 5.03 – Dual and Secondary Employment
- MP 5.11 – Pay Policy and Personnel Actions
- MP 9.04 – Records Management
- FHP Policy 25.01 – Recruitment
- FHP Policy 25.02 – Selection

III. DEFINITIONS

- A. Background Check – Review of an applicant's criminal history, which may include a fingerprint check via the National Crime Information Center (NCIC), driver license record review, employment verification, neighborhood inquiries, and drug test analysis.
- B. Compliance Review – Final process conducted by the Bureau of Personnel Services (BPS) in determining whether the applicant recommended meets the requirements for hire.
- C. Criminal Justice Information Services (CJIS) – Division within the FBI which oversees access to state and national criminal justice information. All positions within the agency that have access to this information must pass a CJIS criminal history background check.
- D. Equal Employment Opportunity – The right of all persons to work and advance on the basis of objective, job-related merits, without respect to age, race, gender or any other category protected under the law.
- E. Hiring Authority – The Executive Director, or designee, which is the Chief of Personnel Services.
- F. Promotional Preference – Pursuant to section 295.09, F.S., when a career service member leaves employment for the purpose of serving in the Armed

STATE OF FLORIDA
Department of Highway Safety and Motor Vehicles

SUBJECT MEMBER SELECTION	POLICY 5.04	PAGE 3 of 3
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Forces of the United States, is separated with an honorable discharge, and the department has reemployed or reinstated such person in accordance with state law and the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA), such person shall also be awarded preference in promotion to a covered position and shall be promoted ahead of all others who are as well qualified or less qualified for the position.

- G. Selection Module – Job-related assessment instruments (to include screening materials, oral interview questions and skill assessment(s)) used to evaluate and rank candidates for a position.
- H. Selection Package – All materials developed and used during the evaluation of applicants for a position which are subject to review prior to the final approval and selection.
- I. 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.
- J. Veterans’ Preference – As it relates to appointment, retention, reinstatement, reemployment and promotion, veterans’ preference ensures that eligible veterans, and other veterans’ preference eligible persons, are given special consideration at each step of the employment selection and retention process; however, the preference does not guarantee that a veteran or other veterans’ preference eligible person will be the candidate selected to fill the position.

IV. POLICY

The Florida Department of Highway Safety and Motor Vehicles assures to each applicant an equal employment opportunity without regard to age, race, color, gender, sexual orientation, religion, national origin, political opinions or affiliations, marital status or disability. All selection activities will be developed based on job-related requirements and needs of individual positions and must be included on the official position description.

V. PROCEDURES

A manual entitled “Member Selection Procedures” is published by the Bureau of Personnel Services.