

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 61D-14.059 F.A.C., follows. See Florida Administrative Code for present text.)

61D-14.059 Slot Machine Licensee Personnel.

(1) Each slot machine licensee shall maintain a level of staffing, supervision, and delineation of responsibilities of the organizational structure that ensures the slot machine licensee's slot machine gaming operation meets the requirements of Chapter 551, F.S. as provided in the slot machine licensee's system of internal control procedures, approved pursuant to Rule 61D-14.058, F.A.C.

(2) The slot machine licensee's internal controls shall provide for a pre-employment screening process for each prospective employee. The pre-employment screening shall include the following:

(a) A completed employment application;

(b) A completed drug testing program in compliance with the slot machine licensee's drug free testing program required pursuant to Section 551.104(4)(i)6., F.S.

(c) Documentation proving or verifying that each prospective employee intended to fulfill supervisory, managerial or surveillance duties have the skills, training and experience for the position; and

(d) A credit report that a lot machine licensee employee responsible for hiring decisions has reviewed. That review shall take into consideration a potential employee's excessive debt or any indication of a potential employee's difficulty in managing personal finances.

(3) The slot machine licensee shall maintain a personnel file for each employee that shall contain the following:

(a) The original employment application required by the slot licensee;

(b) The agreement signed by the employee stating that he or she understands that:

1. The slot machine facility is a drug-free workplace;

2. A violation of that policy shall be grounds for:

a. Termination of the employee's employment because of a violation of the slot machine licensee's internal controls prohibiting the use of illegal drugs; and

b. Disciplinary action regarding the employee's slot machine occupational license.

(c) An employee credit history file containing:

1. The initial credit report obtained at the time a employment decision was made; and

2. An updated credit report obtained every 24 months after the initial credit report has been

obtained;

(d) A copy of all employee slot machine occupational licenses the division has issued for the employee during the period of employment at that slot machine licensee's facility;

(e) A current detailed employee position description for each position the employee holds during employment at the slot machine licensee's facility. The position description shall include a section outlining the employee's:

1. Responsibilities;

2. Necessary duties and authority;

3. Access rights within the slot machine licensee's facility:

a. General access rights detailing what general areas the employee is expected to enter or work in;

b. Specific access rights and authority relating to secure areas, any special or controlled access

keys and codes, and any unique or sensitive slot machine licensee record information and the description of that information;

(f) A chronological record of all positions the employee held indicating:

1. The effective date of employment or assignment to that position; and

2. The date upon which the employee vacated a position;

3. The date of final employment termination when applicable;

4. The date of re-employment when applicable with all position information required under this

paragraph;

(g) A copy of each employee:

1. Evaluation or employee performance report regarding work performance; and

2. Record of promotion or transfer to another job position within the slot machine licensee's

organization;

3. Report, when applicable, intended to support a recommendation for promotion rendered during the employee's period of employment at the slot machine licensee's facility;

(h) A formal record of all disciplinary actions related to the employee to include:

1. A copy of all documentation relating to notice of division disciplinary actions;

2. A written record of all verbal or written counseling regarding employee job performance or conduct on the job; and

3. A copy of all disciplinary actions to include records of employee demotions, reprimands, or separations;

(i) A formal employee training record that contains:

1. A record of training an employee completes during the period of employment at the slot machine licensee's facility;

2. The title of the training, date completed, length of instruction and name of the instructor for each training course recorded; and

3. Any record of training received outside of the slot machine licensee's employment that the slot machine licensee considered in the employment or any promotion decision.

(j) A Form DBPR PMW-3440, Professional or Business Employee Supplemental Information, effective 7/5/06, which is adopted and incorporated by Rule 61D-15.001, F.A.C. for all persons in positions requiring professional occupational licenses completed pursuant to the requirements of Chapter 61D-14, F.A.C.; and

(k) All federal and state income tax returns filed by the employee for the previous five years, if the employee is identified in Rule 61D-14.002(1)(e), F.A.C., or is required to hold a professional occupational license.

Specific Authority 551.103(1), 551.122 FS.

Law Implemented 551.103 (1)(g), (1)(i), (1)(j) FS.

History – New _____.