

OFFICE OF THE COUNCIL AUDITOR

Suite 200, St. James Building



June 11, 2008

Special Report #650

Councilmember Glorious Johnson
117 West Duval Street, Suite 425
Jacksonville, Florida 32202

Dear Councilmember Johnson,

In response to your request, we have completed a review of the City of Jacksonville Inspectors certification requirements as compared to the certifications held by the Inspectors. We are providing this special written report in accordance with Ordinance Code Section 102.102. This report does not represent an audit or attestation conducted pursuant to Government Auditing Standards.

Background:

City of Jacksonville Inspectors perform various duties such as inspection of building and construction sites, building code enforcement, zoning enforcement, and mosquito control. These inspector positions reside in the Environmental and Compliance, Planning and Development, and Public Works Departments.

We compared the certification requirements listed in the City Human Resources Division job specifications, the City Ordinance Code, and the Florida Statutes for each inspector position to the certifications held by each inspector according to the Florida Department of Business and Professional Regulation. In determining the certification requirements, we considered both the title of the position and the duties performed by the employees as described in the City job specifications.

Overall Conclusion:

Based on our review of the City of Jacksonville Inspector certification requirements, we found that approximately 97 percent of City Inspectors met the certification requirements of their positions.

In performing our work, we noted that some City of Jacksonville Human Resources job specifications for City Inspectors were not accurate. We recommend that all inspectors be certified in their field of work and that Human Resources ensure that the job specifications for an inspector position are those duties that are actually performed. We also recommend that the Division Chiefs and Human Resources Division work in conjunction to ensure that all applicable inspectors' certifications are held and current.

Finding #1:

We found that five out of 197 (or about 3%) of the City Inspectors and their Supervisors were not in compliance with City of Jacksonville certification requirements. All five were employed in the Planning and Development Department, within the Building and Zoning Division. Since the completion of our field work, two of the five have obtained the proper certifications.

These Planning and Development Department employees inspect building construction and real estate properties for compliance with applicable construction practices, building, zoning, sign codes and ordinances, and examine construction plans for residential, commercial and industrial buildings for compliance with applicable building codes.

The following employees were not in compliance:

1. One out of three (or 33%) of the Building Inspection Assistant Supervisors was not in compliance (required to hold a Building Inspector **and** a Building Plans Examiner Certification). Subsequent to our field work, the Building Inspection Assistant Supervisor obtained his Building Plans Examiner certification on May 12, 2008.
2. One out of twenty-nine (or 3%) of the Construction Trades Inspector (Buildings) was not in compliance (required to hold a Building Inspector Certification.) If a new employee is not already certified by the State of Florida as a Building Inspector, he or she must process an application for a provisional State of Florida Certificate as a Building Inspector within one month of appointment. The employee must possess or obtain within 3 months of appointment a provisional State of Florida Certificate as a Building Inspector. Finally, he or she must possess or obtain within 36 months of receiving provisional certification, a standard State of Florida Certificate as a Building Inspector and must maintain same during employment in this class.
3. One out of one (or 100%) of the Electrical Inspection Assistant Supervisor was not in compliance (required to obtain the proper certification after being promoted; required to hold 1) Electrical Inspector Certification **and** 2)Electrical Plans Examiner Certification **and** 3) COJ Journeyman Certification or Master Electrician Certification or Electrical Contractor State Certification.) The Electrical Inspection Assistant Supervisor has been employed by the City since 1988 and was promoted in 1999; however, proper certification has not been obtained since promotion.
4. One out of one (or 100%) of the Mechanical Inspection Supervisor was not in compliance (required to obtain the proper certification after being promoted; required to hold 1) Standard Mechanical Inspector Certification **and** 2)Mechanical Plans Examiner Certification **and** 3) COJ Journeyman Certification or Master Mechanic Certification or Mechanical Contractor State Certification or A/C Contractor Certification.) The Mechanical Inspection Supervisor has been employed by the City since 1989 and was promoted both in 1995 and 1999; however, proper certification has not been obtained since promotion.
5. One out of one (or 100%) of the Plumbing Inspection Assistant Supervisor was not in compliance (required to obtain the proper certification after being promoted; required to hold 1) Florida Standard Plumbing Inspector (must obtain within 6 months; Florida Provisional Plumbing Certificate should be obtained within 3 months) **and** 2) Plumbing Plans Examiner Certifications (must obtain within 6 months) **and** 3) COJ Journeyman or Master Plumber Certificate and/or comparable State of Florida license). Subsequent to our field work, the Plumbing Inspection Assistant Supervisor obtained his Building Plans Examiner certification on May 12, 2008.

Recommendation for Finding #1:

We recommend that all employees that are not in compliance obtain the proper certification immediately and that Department Directors conduct a certification review for compliance on an annual basis.

Building Inspection Division's Response:

1. **One Building Inspection Assistant Supervisor was found to be in non-compliance with the job specification.** The Building Inspection Division has always been aware of the licensure status of this individual. He passed the required examination in March of 2008 and now has the Building Plans Examiner certification. While the job specification requires the Building Plans Examiner

certification, his actual assigned job duties do not require that he perform plans examining, and at no time has he reviewed and approved any plans as a plans examiner. He is completely compliant with state law. Prior to 1999, and this individual moving into this position, a person in this position was required to perform plan examining on an occasional basis, but with the hiring of additional plans examiners this has not been necessary for several years. The Building Inspection Division had invested considerable time in training this employee and he has been a very worthwhile member of our staff. Since there were no problems with State of Florida certification requirements and actual job duties, we were giving him additional time to complete this City of Jacksonville requirement. While this licensure is no longer necessary to perform his specific job duties, we do recommend that the requirement be kept as it does cause the individual to be more familiar with the code requirements to pass the examination, but we would recommend that the job specs be changed to give the employee additional time to achieve this requirement.

Building Inspection Division's Response:

- 2. One Construction Trades Inspector was found to be in non-compliance with the job specification.** The Building Inspection Division has always been aware that this individual does not have a standard inspector's certification as required by the job spec. He does hold a provisional certification, which is acceptable under State law. It should be noted that when this individual was hired, it was to fill a vacant inspector position at the building counter, issuing permits, not performing inspections. Issuing permits does not require any type of licensure under State or City law. He was specifically told that his position would be at the building counter, not performing inspections. He has been a valuable asset to the division at his current location. The division has invested significant time and resources training him and would not want to lose his services. We recommend that the job specs be changed to match the State of Florida certification requirements regarding length of time allowed to achieve licensure.

Building Inspection Division's Response:

- 3. One Electrical Inspection Assistant Supervisor was found to be in non-compliance with the job specification.** We agree the individual was not in compliance with City job specifications. At the time of this individual's promotion from Construction Trades Inspector—Electrical to Electrical Inspection Assistant Supervisor, we communicated with the State of Florida's Department of Business & Professional Regulation to determine if an individual with a Limited Electrical Inspector certification could be promoted to Electrical Inspection Assistant Supervisor. The State said that the promotion was OK. We recommend that the job specifications be changed to include "Limited" inspector certifications for all construction trades assistant supervisors and supervisors.

Building Inspection Division's Response:

- 4. One Mechanical Inspection Supervisor was found to be in non-compliance with the job specification.** We agree the individual was not in compliance with City job specifications. This individual was not promoted as a plans examiner, he was promoted as an inspection supervisor. He holds a standard inspection license so there is no question regarding conforming to state law. We recommend that the job specifications be changed to include "Limited" Plans Examiner certifications for all construction trades assistant supervisors and supervisors.

Building Inspection Division's Response:

- 5. One Plumbing Inspection Assistant Supervisor was found to be in non-compliance with the job specification.** The Building Inspection Division has always been aware of the licensure status of this

individual. He passed the required examination in March of 2008 and now has the Plumbing Plans Examiner certification. While the job specification requires the Plumbing Plans Examiner certification, his actual assigned job duties do not require that he perform plans examining, and at no time has he reviewed and approved any plans as a plans examiner. He is completely compliant with state law. Prior to 1999, and this individual moving into this position, a person in this position was required to perform plan examining on an occasional basis, but with the hiring of additional plans examiners this has not been necessary for several years. The Building Inspection Division had invested considerable time in training this employee and he has been a very worthwhile member of our staff. Since there were no problems with State of Florida certification requirements and actual job duties, we were giving him additional time to complete this City of Jacksonville requirement. While this licensure is no longer necessary to perform his specific job duties, we do recommend that the requirement be kept as it does cause the individual to be more familiar with the code requirements to pass the examination, but we would recommend that the job specs be changed to give the employee additional time to achieve this requirement.

Finding #2

The City of Jacksonville Human Resources job specifications do not list any certification requirements of Section 320.302 for the Building and Zoning Code Enforcement positions located in the Planning and Development Department. Section 320.302 states that “the inspector shall be certified through a recognized certification program for the appropriate trade.” Based on our review of the job descriptions for the Building and Zoning Code Enforcement Inspector, the Building and Zoning Code Enforcement Inspector Senior, the Building and Zoning Code Enforcement Supervisor, and the Building and Zoning Enforcement Assistant Supervisor positions, it appears that all of these positions are subject to Section 320.302 of the Ordinance Code (Employees of Building Inspection Division).

Recommendation for Finding #2

We recommend that Human Resources update the job specifications to require the personnel in these positions to be certified.

Building Inspection Division’s Response:

The Building & Zoning Code Enforcement Inspector positions do not inspect structures for Florida Building Code compliance and as such are not required by State law to be certified. They simply determine if the work that is being performed requires a permit and issues citations accordingly. The current job specification is slightly misleading in that it mentions the “inspection” of buildings. They do “inspect” buildings, but as stated previously not inspections to determine compliance with the Florida Building Code. We recommend the job specifications be changed to better clarify the job duties.

Finding #3

Human Resources’ job specifications for the Construction Inspector position appear to be inaccurate as to the actual types of duties being performed and do not require Construction Inspectors to be certified.

We found that the Construction Inspector positions are listed in three different departments 1) Environmental and Compliance, 2) Public Works, 3) Planning and Development. Per the Environmental and Compliance supervisors, the actual duties of the Construction Inspectors are all related to water quality and not construction inspection. Per the supervisors of the Public Works and Planning and Development Departments, the actual duties of the Construction Inspectors vary from inspecting vegetation management contracts (grass mowing, ditch herbicide spraying, etc.) and construction oriented service contracts (pipe

lining, drain line replacement, etc.) to reviewing and approving/disapproving construction plans, construction permits, placement of gas mains, installation of sidewalks, etc. The job specifications per Human Resources list the same duties for all of the Construction Inspector positions without any differentiation to the actual duties performed.

Recommendation for Finding #3

We recommend that Human Resources revise or update the job specifications to be accurate and specific as to the types of duties being performed and where applicable, require personnel in those positions to be certified.

City Human Resources Department Response:

As a result of the City's recent reorganization, Human Resources has noted that the classification of construction inspector should be reviewed for appropriateness. Again, we do not believe that these positions require State certifications as they are exempt pursuant to Section 468.602 of the Florida Statutes. We concur with the recommendation to review and update the classification specification.

Finding #4

The Building Construction Trades Examiner, Building Plans Examiner, and Building Construction Trades Administrator positions' certification requirements displayed on the COJ Human Resources website were inaccurate. Subsequent to our field work, the Building Construction Trades Administrator position's certification requirements were corrected by Human Resources.

Recommendation for Finding #4

We recommend that Human Resources revise and update the certification requirements for these positions immediately.

Building Inspection Division's Response:

We agree that the job specifications posted on the web for positions that require State certification should be properly stated.

We would like to thank the Administration for the cooperation and assistance we received during the completion of this review.

Respectfully Submitted,

Kirk A. Sherman, CPA
Council Auditor

CC: Chad Poppell, Chief of Human Resources
Tom Goldsbury, Chief of Building and Zoning Inspection
Kerri Stewart, Deputy Chief Administrative Officer