

By Representatives Crist, Miller, Littlefield, Ogles,
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1 A bill to be entitled
2 An act relating to Hillsborough County;
3 amending ch. 96-519, Laws of Florida, which
4 created the civil service act; providing
5 procedures relating to demotion of nontenured
6 and tenured employees covered by the act;
7 providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 11 of chapter 96-519, Laws of
12 Florida, is amended to read:

13 Section 11. Suspension; demotion; dismissal.--

14 (1) Any nontenured employee in the classified service
15 may be suspended, demoted,or dismissed for any cause if that
16 suspension, demotion,or dismissal will promote the efficiency
17 of the service.

18 (2) Any appointing authority may suspend, demote,or
19 dismiss a tenured employee following written notice to the
20 employee of the intended action, detailing the reasons
21 ~~therefor~~ and providing an opportunity to respond thereto at an
22 informal predisciplinary hearing scheduled for that purpose.
23 The hearing must be scheduled no sooner than 5 working days
24 after the date of notice of intent to discipline unless the
25 employee waives this time and requests an earlier hearing. If
26 the final decision is to discipline, the appointing authority
27 must provide written notice to the employee as soon as
28 possible following the hearing.

29 (3) Any employee may be suspended immediately, with or
30 without pay and without the benefit of advance written notice,
31 upon determination by the appointing authority that such

1 suspension is in the best interest of the public. The
2 appointing authority must provide written notice to the
3 employee as soon as possible and give the employee the
4 opportunity to be heard as required in subsection (2).

5 (4) Any employee who has satisfactorily completed the
6 initial probationary period and is thereafter suspended,
7 demoted, or dismissed from employment may request a hearing to
8 appeal that disciplinary action by making a written request to
9 the board within 10 calendar days after the official date of
10 receipt of the final notice to discipline. The request for an
11 appeal hearing must state clearly and simply the reason or
12 reasons the employee believes the disciplinary action was not
13 justified and must be received by the Civil Service Office
14 within the 10-day limit, with the board sending a copy to the
15 affected appointing authority within 3 working days after
16 receipt thereof.

17 (5) The board may reverse the appointing authority's
18 decision and restore the employee to that employee's former
19 status only if it finds that the suspension, demotion, or
20 dismissal was made for a reason other than just cause. The
21 director or a member of the board, on behalf of the board,
22 shall provide a letter to the affected parties within 10
23 calendar days after the appeal hearing, setting forth the
24 board's findings and conclusions and the specific reasons
25 ~~therefor.~~

26 Section 2. Subsection (2) of section 12 of chapter
27 96-519, Laws of Florida, is amended to read:

28 Section 12. Appeal hearing procedure.--

29 (2) The board shall make every reasonable effort to
30 hear any timely filed appeal of demotion or dismissal within
31 30 working days after receipt of notice of appeal unless an

1 extension of time is requested by the employee or the
2 appointing authority. At no time may an appeal hearing be
3 delayed beyond 60 calendar days without the consent of both
4 parties. Requests for appeal hearings of suspensions shall be
5 scheduled as soon as possible. The board shall provide
6 reasonable notice to all affected persons, providing them an
7 opportunity to be heard and to introduce relevant testimony
8 and evidence at the appeal hearing, which shall be public. All
9 testimony shall be under oath.

10 Section 3. This act shall take effect upon becoming a
11 law.

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