

By Senator Klein

28-839B-98

See HB

1 A bill to be entitled
 2 An act relating to Palm Beach County; amending
 3 ch. 93-367, Laws of Florida, as amended;
 4 revising provisions relating to employees of
 5 the Palm Beach County Sheriff; revising
 6 procedures for appeal of disciplinary actions
 7 and complaints against employees of the
 8 sheriff; revising provisions limiting benefits
 9 to employees beyond the rank of captain to
 10 apply to employees beyond the rank of
 11 lieutenant; providing that certain monetary
 12 emoluments be based on performance for
 13 employees at the rank of captain or its
 14 civilian equivalent; providing an effective
 15 date.

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

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 19 Section 1. Subsection (1) of section 2 of chapter
 20 93-367, Laws of Florida, is amended to read:

21 Section 2. Hearing review boards; function;
 22 membership; procedures.--

23 (1) FUNCTION OF BOARDS.--Ad hoc hearing review boards
 24 shall be appointed as provided herein for the purpose of
 25 hearing appeals of career service employees arising from
 26 personnel actions brought under the rules, regulations, or
 27 policies of the Office of the Sheriff which result in
 28 dismissal, suspension, demotion, or reduction in pay. Lateral
 29 transfers, shift changes, reprimands, oral or written, and
 30 suspensions of 2 working days or less ~~than 1 working day~~ shall
 31 not be appealable to the board; however, no more than one such

1 action of suspension may occur within 1 calendar year without
2 the right to appeal. The scope of the review board is limited
3 to disciplinary proceedings and termination actions. Review
4 boards have the authority to conduct hearings and make
5 findings of fact and recommendations to the Sheriff. The
6 Sheriff shall not be bound by the findings or recommendations
7 of such boards, but will consider them in making his final
8 decision. Except in the case of termination, the decision of
9 the Sheriff is final and not appealable within the office.

10 Section 2. Subsections (1) and (2) of section 3 of
11 chapter 93-367, Laws of Florida, as amended by chapters 96-450
12 and 97-325, Laws of Florida, are amended to read:

13 Section 3. Preservation of employment benefits and
14 emoluments.--

15 (1) The provisions of this section shall apply to all
16 certified and noncertified persons in the employ of the
17 Sheriff of Palm Beach County, including deputy sheriffs, as
18 specified in section 1(2)(a) of chapter 93-367, Laws of
19 Florida, except that this section shall not apply to those
20 employees beyond the rank of lieutenant ~~captain~~ or its
21 civilian equivalent.

22 (2) Existing employer-paid benefits and emoluments
23 with regard to the pay plan, longevity plan,
24 tuition-reimbursement plan, career-path program, health
25 insurance, life insurance, and disability benefits may not be
26 substantially reduced, except in the case of exigent
27 operational necessity, except all moneys which would have been
28 allocated to longevity pay for those at the rank of captain or
29 its civilian equivalent shall be disbursed in accordance with
30 objective performance-related criteria. The objective
31 performance-related criteria shall take into consideration

1 input from a committee including those at the rank of captain
2 or its civilian equivalent.

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

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