

HB 1705

2005

A bill to be entitled

An act relating to Lake County; amending chapter 93-358, Laws of Florida; revising provisions governing career service with the Lake County Sheriff's Office; revising definitions; deleting provisions relating to the establishment of divisions within the office; providing effect of voluntary and involuntary termination of employment on career service status; authorizing demotion of certain employees without cause; providing an effective date.

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

Section 1. Chapter 93-358, Laws of Florida, is amended to read:

Section 1. Applicability.--Except as otherwise provided herein, the provisions of this act shall apply to all employees, as hereinafter defined, of the Lake County Sheriff. The provisions of this act shall not apply to the sheriff; or to special deputy sheriffs appointed pursuant to section 30.09(4), Florida Statutes; or to members of the sheriff's reserve, auxiliary, posse, volunteers, and task force members, as may be defined by the Criminal Justice Standards and Training Commission. This act is not intended to grant collective bargaining rights to employees of the Lake County Sheriff who do not otherwise have those rights pursuant to law.

Section 2. Definitions.--As used in this act:

(1) "CAREER SERVICE EMPLOYEE" means an employee of the Lake County Sheriff's Office who has satisfactorily completed 1

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30 year of continuous employment in any one division of the office,
 31 ~~and~~ who is not on extended probation, and who is not a part-
 32 time, temporary, or contractual employee.

33 (2) "CAREER SERVICE STATUS" means tenured employment with
 34 the Lake County Sheriff's Office attained by a career service
 35 employee.

36 (3) "OFFICE" means the Lake County Sheriff's Office.

37 (4) "DIVISION" means all divisions of the Lake County
 38 Sheriff's Office ~~the Enforcement Division or the Support~~
 39 ~~Division, as set forth in section 3.~~

40 (5) "EMPLOYEE" means any deputy sheriff and detention
 41 deputy not otherwise excluded by this act and all full-time
 42 employees of the Lake County Sheriff's Office.

43 (6) "EXTENDED PROBATION" means a period of time in excess
 44 of 1 year in which a new employee is subject to evaluation in
 45 order to ascertain the employee's fitness for employment by the
 46 Lake County Sheriff's Office, not to exceed 6 months.

47 (7) "SHERIFF" means the Sheriff of Lake County.

48 (8) "FOR CAUSE" means termination, suspension, or demotion
 49 of an employee for misfeasance, malfeasance, or nonfeasance,
 50 which renders the continuance of the employee in his or her
 51 position detrimental to the discipline or efficiency of the
 52 office, as determined by the Sheriff of Lake County.

53 ~~Section 3. Establishment of divisions. There is hereby~~
 54 ~~established the following employment divisions within the Lake~~
 55 ~~County Sheriff's Office:~~

56 ~~(1) The Enforcement Division, includes all commissioned~~
 57 ~~deputy sheriffs who hold valid and current certificates as law~~

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58 ~~enforcement officers issued by the Criminal Justice Standards~~
 59 ~~and Training Commission and who are covered by this act.~~

60 ~~(2) The Support Division, includes all other employees of~~
 61 ~~the department covered by this act.~~

62 Section 3.4. Career service.--

63 (1) Except as otherwise provided in subsection (2), an
 64 employee may be terminated by the Lake County Sheriff at any
 65 time with or without cause unless the employee has attained and
 66 holds career service status. All employees who have attained and
 67 hold career service status may be terminated only for cause, as
 68 herein defined.

69 (2) An employee who voluntarily terminates employment with
 70 the Lake County Sheriff's Office or and who is involuntarily
 71 terminated does not become reemployed with the Lake County
 72 Sheriff's Office within 90 days ceases to have career service
 73 status if again employed by the Lake County Sheriff's Office
 74 until same is earned again.

75 Section 4.5. Termination, suspension, and demotion.--Any
 76 employee of the office, whether having attained career service
 77 status or not, may be terminated, suspended, demoted, or
 78 reprimanded by the Lake County Sheriff at any time for cause, as
 79 herein defined.

80 Section 5.6. Transition.--A newly elected or appointed
 81 sheriff may demote without cause to the rank of lieutenant any
 82 career service employee who holds the rank of undersheriff,
 83 chief, chief deputy, major, captain, administrative assistant,
 84 or general counsel legal adviser, or any equivalent rank, at the
 85 time the newly elected or appointed sheriff takes office.

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86 Members of the Senior Management Service class may be demoted to
87 a reduced civilian position and pay in a like manner.

88 Section ~~6.7.~~ Promotions.--Notwithstanding anything
89 contained herein to the contrary, any career service employee
90 required to serve a probationary period attendant or incidental
91 to a promotion may be demoted with or without cause to the
92 employee's prior rank at any time during such probationary
93 period, but any such employee does not lose career service
94 status.

95 Section ~~7.8.~~ Current employees.--Effective upon this act
96 becoming law, all current employees of the Lake County Sheriff
97 who have satisfactorily completed 1 year of continuous
98 employment in the Lake County Sheriff's Office and who are not
99 on extended probation shall be granted career service status.
100 All other employees shall attain career service status upon
101 reaching their 1 calendar year service anniversary date and
102 completing their probationary period.

103 Section ~~8.9.~~ Administration.--The sheriff is hereby
104 empowered to adopt rules and regulations for the administration
105 and implementation of this act.

106 Section 2. This act shall take effect July 1, 2005.