

CHAMBER ACTION

1 The Governmental Operations Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

15
16 Be It Enacted by the Legislature of the State of Florida:

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

20 Section 1. Applicability.--Except as otherwise provided
21 herein, the provisions of this act shall apply to all employees,
22 as hereinafter defined, of the Lake County Sheriff. The
23 provisions of this act shall not apply to the sheriff; or to

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24 | special deputy sheriffs appointed pursuant to section 30.09(4),
 25 | Florida Statutes; or to members of the sheriff's reserve,
 26 | auxiliary, posse, volunteers, and task force members, as may be
 27 | defined by the Criminal Justice Standards and Training
 28 | Commission. This act is not intended to grant collective
 29 | bargaining rights to employees of the Lake County Sheriff who do
 30 | not otherwise have those rights pursuant to law.

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

32 | (1) "CAREER SERVICE EMPLOYEE" means an employee of the
 33 | Lake County Sheriff's Office who has satisfactorily completed 1
 34 | year of continuous employment in any one division of the office,
 35 | ~~and~~ and who is not on extended probation, and who is not a part-
 36 | time, temporary, or contractual employee.

37 | (2) "CAREER SERVICE STATUS" means tenured employment with
 38 | the Lake County Sheriff's Office attained by a career service
 39 | employee.

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

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

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

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

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

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

57 ~~Section 3. Establishment of divisions. There is hereby~~
 58 ~~established the following employment divisions within the Lake~~
 59 ~~County Sheriff's Office:~~

60 ~~(1) The Enforcement Division, includes all commissioned~~
 61 ~~deputy sheriffs who hold valid and current certificates as law~~
 62 ~~enforcement officers issued by the Criminal Justice Standards~~
 63 ~~and Training Commission and who are covered by this act.~~

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

66 Section 3.4. Career service.--

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

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

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

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

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

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

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

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