

By Senator Baker

20-1630-05

See HB

1                                   A bill to be entitled

2           An act relating to Lake County; amending

3           chapter 93-358, Laws of Florida; revising

4           provisions governing career service with the

5           Lake County Sheriff's Office; revising

6           definitions; deleting provisions relating to

7           the establishment of divisions within the

8           office; providing effect of voluntary and

9           involuntary termination of employment on career

10          service status; authorizing demotion of certain

11          employees without cause; providing an effective

12          date.

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

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

18           Section 1. Applicability.--Except as otherwise

19 provided herein, the provisions of this act shall apply to all

20 employees, as hereinafter defined, of the Lake County Sheriff.

21 The provisions of this act shall not apply to the sheriff; or

22 to special deputy sheriffs appointed pursuant to section

23 30.09(4), Florida Statutes; or to members of the sheriff's

24 reserve, auxiliary, posse, volunteers, and task force members,

25 as may be defined by the Criminal Justice Standards and

26 Training Commission. This act is not intended to grant

27 collective bargaining rights to employees of the Lake County

28 Sheriff who do not otherwise have those rights pursuant to

29 law.

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

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1           (1) "CAREER SERVICE EMPLOYEE" means an employee of the  
2 Lake County Sheriff's Office who has satisfactorily completed  
3 1 year of continuous employment in any one division of the  
4 office, ~~and~~ and who is not on extended probation, and who is not a  
5 part-time, temporary, or contractual employee.

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

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

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

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

16           (6) "EXTENDED PROBATION" means a period of time in  
17 excess of 1 year in which a new employee is subject to  
18 evaluation in order to ascertain the employee's fitness for  
19 employment by the Lake County Sheriff's Office, not to exceed  
20 6 months.

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

22           (8) "FOR CAUSE" means termination, suspension, or  
23 demotion of an employee for misfeasance, malfeasance, or  
24 nonfeasance, which renders the continuance of the employee in  
25 his or her position detrimental to the discipline or  
26 efficiency of the office, as determined by the Sheriff of Lake  
27 County.

28           ~~Section 3. Establishment of divisions. There is~~  
29 ~~hereby established the following employment divisions within~~  
30 ~~the Lake County Sheriff's Office:~~

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

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

8           Section ~~3.4.~~ Career service.--

9           (1) Except as otherwise provided in subsection (2), an  
10 employee may be terminated by the Lake County Sheriff at any  
11 time with or without cause unless the employee has attained  
12 and holds career service status. All employees who have  
13 attained and hold career service status may be terminated only  
14 for cause, as herein defined.

15           (2) An employee who voluntarily terminates employment  
16 with the Lake County Sheriff's Office or ~~and~~ who is  
17 involuntarily terminated ~~does not become reemployed with the~~  
18 ~~Lake County Sheriff's Office within 90 days~~ ceases to have  
19 career service status if again employed by the Lake County  
20 Sheriff's Office until same is earned again.

21           Section ~~4.5.~~ Termination, suspension, and  
22 demotion.--Any employee of the office, whether having attained  
23 career service status or not, may be terminated, suspended,  
24 demoted, or reprimanded by the Lake County Sheriff at any time  
25 for cause, as herein defined.

26           Section ~~5.6.~~ Transition.--A newly elected or appointed  
27 sheriff may demote without cause to the rank of lieutenant any  
28 career service employee who holds the rank of undersheriff,  
29 chief, chief deputy, major, captain, administrative assistant,  
30 or general counsel ~~legal advisor,~~ or any equivalent rank, at  
31 the time the newly elected or appointed sheriff takes office.

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

3       Section ~~6.7.~~ Promotions.--Notwithstanding anything  
4 contained herein to the contrary, any career service employee  
5 required to serve a probationary period attendant or  
6 incidental to a promotion may be demoted with or without cause  
7 to the employee's prior rank at any time during such  
8 probationary period, but any such employee does not lose  
9 career service status.

10       Section ~~7.8.~~ Current employees.--Effective upon this  
11 act becoming law, all current employees of the Lake County  
12 Sheriff who have satisfactorily completed 1 year of continuous  
13 employment in the Lake County Sheriff's Office and who are not  
14 on extended probation shall be granted career service status.  
15 All other employees shall attain career service status upon  
16 reaching their 1 calendar year service anniversary date and  
17 completing their probationary period.

18       Section ~~8.9.~~ Administration.--The sheriff is hereby  
19 empowered to adopt rules and regulations for the  
20 administration and implementation of this act.

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