

By Senator Argenziano

3-957-06

See HB 495

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A bill to be entitled  
An act relating to Baker County; specifying  
rights of certain employees and appointees of  
the Baker County Sheriff; providing  
applicability; providing definitions; providing  
for career service status; providing  
proceedings and provisions with respect to  
transition between administrations; providing  
rulemaking authority for purposes of  
implementation and administration; providing an  
effective date.

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

Section 1. Employees and appointees of the Baker  
County Sheriff; applicability; definitions; career service  
status; transition; implementation and administration.--

(1) APPLICABILITY.--This act applies to all certified  
and noncertified persons appointed or employed by the Baker  
County Sheriff, with the following exceptions:

(a) Special deputy sheriffs appointed under section  
30.09(4), Florida Statutes.

(b) Members of a sheriff's posse or reserve unit.

(c) Part-time appointees and employees, whether  
compensated or not, who are scheduled to work less than 40  
hours per week.

(d) Independent contractors, temporary employees, or  
contract employees.

(e) Persons who are appointed or employed pursuant to  
a grant whose continued existence or funding is subject to the  
expiration or withdrawal of the grant provider.

1           (2) DEFINITIONS.--

2           (a) "Appointee" means that person selected by the  
3 sheriff to serve in the position of deputy sheriff or  
4 correctional officer who is a certified officer within the  
5 meaning of chapter 943, Florida Statutes. For the purposes of  
6 this act, "appointee" and "employee" are synonymous and any  
7 derivative of "employee" refers to the persons to whom this  
8 act applies.

9           (b) "Employee" means any person employed by the  
10 sheriff for a position that does not require certification  
11 under chapter 943, Florida Statutes.

12           (c) "Probationary period" means 6 months of  
13 conditional employment or appointment commencing on the date  
14 of actual work in the position to which promoted.

15           (d) "Reemployment" means reappointment or the  
16 reemployment of a person who was previously an appointee or  
17 employee of the Office of the Sheriff.

18           (3) CAREER SERVICE STATUS.--

19           (a) After an employee or appointee of the sheriff to  
20 whom this act applies has completed the initial or extended  
21 probationary period, such person shall be considered to have  
22 attained career service status in the Office of the Sheriff.  
23 If such person is reemployed at a later date, the person shall  
24 be required to complete the probationary period again before  
25 becoming eligible for any rights under this act.

26           (b) After an employee or appointee is promoted to a  
27 higher rank or position having a greater pay rate, such person  
28 shall be considered to have attained career service status in  
29 the position to which promoted after completing 6 months of  
30 continuous service in that position.

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1           (4) TRANSITION.--When a newly elected or appointed  
2 sheriff assumes office, all career service status appointees  
3 and employees shall remain employees of the new  
4 administration.

5           (a) The new sheriff may only reduce appointees one  
6 rank below the rank held on the day before the new sheriff  
7 assumes office if such rank was held continuously for the  
8 prior 6 months of employment.

9           (b) The new sheriff may assign the civilian appointees  
10 and sheriff's secretary to the next highest position  
11 classification.

12           (c) The salary of any displaced officer or person may  
13 not be reduced more than 5 percent.

14           (5) IMPLEMENTATION AND ADMINISTRATION.--The sheriff  
15 may adopt such rules as are necessary for the implementation  
16 and administration of this act; however, nothing in this act  
17 shall be construed as affecting the budget-making powers of  
18 the Board of County Commissioners of Baker County.

19           Section 2. This act shall take effect upon becoming a  
20 law.