

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2275.12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ("TOWN"), AUTHORIZING AN AMENDMENT TO ARTICLE 24 OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN AND THE FLORIDA STATE LODGE, FRATERNAL ORDER OF POLICE; AUTHORIZING THE TOWN MAYOR TO SIGN THE AMENDMENT ON BEHALF OF THE TOWN; PROVIDING FOR IMPLEMENTATION OF THE AMENDED AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach ("Town") desires to ratify the Amendment to Article 24 of the Collective Bargaining Agreement ("Agreement") between the Town and the Florida State Lodge, Fraternal Order of Police ("Police Union") (a copy of the Agreement is attached hereto as Exhibit "A"); and

WHEREAS, the Town Council finds that ratification of the Agreement is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The foregoing "**Whereas**" clauses are true and correct and are incorporated herein by this reference.

Section 2. Agreement Ratification. Ratification of the Agreement between the Town and the Police Union, in the form attached hereto as Exhibit "A," is hereby authorized and approved.

Section 3. Execution. The Town Mayor is hereby authorized to execute the Agreement on behalf of the Town.

Section 4. Implementation. That the Town Mayor and Town Manager are

authorized to take any and all action which is necessary to implement this Resolution and the Agreement.

Section 5. Effective Date. That This Resolution shall become effective immediately upon its passage and adoption.

Sponsored by Town Administration.

The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Vice Mayor Rojas and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 16th day of October, 2012.

ATTEST:


MAYOR GLENN SINGER


LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY

ARTICLE 24 • PROMOTIONS

1. The Employee Organization recognizes that, pursuant to Article 4, paragraphs 1, § (d), the Town has and retains the sole and exclusive right to promote and/or otherwise establish the criteria and/or procedure for promotions within and without the bargaining unit. An employee will be promoted upon the recommendation of the Police Chief and with the approval of the Town Manager.

2. ~~When the Town is actively seeking to fill a budgeted promotional vacancy in the bargaining unit, the Town shall make an effort to permanently fill such vacancy within ninety (90) days.~~ **When there is a vacancy of a sergeant position and eligible list the Town shall fill the vacancy with a bargaining unit member of the town within ninety (90) days.**

3. ~~Promotions to the rank of sergeant shall be conducted by a fully certified Assessment Center selected by the Town Police Administration.~~ Only certified law enforcement officers with **(2) years full time with the Town of Golden Beach Police department will be eligible for said promotion.** The promotional process to the rank of sergeant will consist of the following:

- a. ~~A written examination consisting of one hundred (100) questions. The written examination will count as thirty seven percent (37%) of the total score and the minimum passing score will be seventy percent (70%);~~ **A written examination consisting of one hundred (100) multiple choice questions. A minimum passing score of 70% or higher before being eligible to proceed to the second phase of the examination process, the "assessment". The questions shall come from selected Town of Golden Beach Ordinances, the Golden Beach Police Department Regulation**

Manual and Administrative Orders, the current F.O.P. Contract and selected material from the 2012 Florida Law Enforcement Handbook.

~~b. — An Assessment Center Analysis, which will count as fifty eight percent (58%) of the total score and include the following.~~

~~i. — In basket exercises (30-50 items); and~~

b. Upon completing of the written one hundred (100) question examination and receiving a passing score of 70% or higher, the candidate will then proceed to the second phase of testing consisting of the "Badge" Oral video taped assessment exercises. The exercises will consist of four (4) separate scenerios based from the study materials used during the first phase of testing. The candidate must receive a passing score of 70% or higher. Each phase of the examination will carry 50% of the total overall score. The testing shall be conducted by the Miami Dade College School of Justice.

~~ii. — Four (4) scenario situations for candidate response; and~~

~~e. — Department seniority of police officer will count as five percent (5%) of the total score.~~

4. In order to fill said vacancy, ~~120~~ ninety (90) days prior to the sergeant's promotional examinations, the Town shall ~~submit a proposed list of books and/or reference material, from which the examination may be drawn, to the Association.~~ **notice and post the date and place of the testing. The employee shall notify the Chief of their intent to take the exam within thirty (30) days after the notice was issued and posted.** ~~The Association may respond no later than fifteen (15) calendar days after receipt of the list, in order for the Association to provide input as to the availability of the materials on the reading list. The Assessment Center~~

~~shall retain final determination of the reading list. Failure of the Association to respond will constitute an agreement to the proposed list.~~

~~Not later than ninety (90) days prior to a test being given, a notice will be posted on the bulletin board at the Town of Golden Beach Police Department. Such notice shall contain, in addition to information concerning the date, time, place and minimum passing grade, a list of books and/or reference material from which the examination may be drawn.~~

5. ~~A list of eligible candidates shall be compiled in the order of their final cumulative score. All employees shall be notified of their scores. The list shall remain valid for two (2) years from the date posted or when there is only one (1) person left on the list, whichever occurs first.~~ **Promotions to the rank of sergeant shall occur only after an eligible candidate has received a passing score of 70% or higher on both phases of the examination. In the event of a tie score the candidate with the most seniority with a full time position shall prevail.**

6. **The Town Manager (with a recommendation from the Police Chief and subject to final approval of the Mayor) will promote from the top three (3) persons on the promotional list the person he/she, in his/her sole and exclusive discretion, determines is best suited for the job. An employee passed over pursuant to this section shall be entitled upon request to a reason for such a decision. The list shall remain valid for two (2) years from the date posted or when no one is left on the list.**

7. Officers promoted to Sergeant's rank will receive appropriate training during the probationary period as scheduled where practicable, during normal duty hours. **The probationary period shall be nine (9) months from date of appointment.**

8. An employee who is promoted shall immediately receive applicable compensation for the appropriate rank.

9. Any member who is designated as an Acting Sergeant or Officer in Charge shall receive a five percent (5%) pay increase while performing such duties.

10. There shall be a minimum of three (3) sergeants.