


MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 011		TITLE: Transfers and Promotions	
EFFECTIVE DATE: May 20, 2013	NO. PAGES: 7	REVIEWED/REVISED: March 7, 2022	
 Sheriff of Monroe County			

- I. **PURPOSE:** The purpose of this general order is to establish guidelines for the transfer and administration of examination devices used in the promotional process of sworn personnel within the Monroe County Sheriff's Office (MCSO). This may include, but is not limited to, written examinations and oral interviews. This general order also is to establish policy and procedures for the promotion of civilian employees seeking supervisor and above positions.
- II. **DISCUSSION:** The promotional process is of vital interest and concern to both MCSO and the member. The promotion process brings about recognition, personal satisfaction and added responsibility. For these reasons the process must be standardized and provide a fair and equitable means of advancement for all members who participate. In order for the process to be successful it must show validity, utility and minimum adverse impact.
- III. **POLICY:** The Human Resources (HR) Executive Director will be responsible for coordinating the processes of transfer and promotion. The MCSO promotional process will be based on MCSO policy and procedures.
 - A. All elements of the promotional process will be job-related and nondiscriminatory. At a minimum, tests will be based on the job description for that position and other source materials as determined by the HR Executive Director.
 - B. The HR Executive Director will consult, where necessary, commanders, supervisors and subject matter experts when developing procedures.
 - C. Members are encouraged to develop new skills, expand knowledge of their work and assume greater responsibilities.
 - D. Members are to make known their qualifications for promotion to more difficult and responsible positions and compete in all examinations for which they are qualified.
 - E. Promotional preference will be given to qualified individuals eligible for Veterans' Preference.
- IV. **PROCEDURE**
 - A. **AUTHORITY AND RESPONSIBILITY**
 1. The authority and responsibility for administering MCSO's promotional process is placed directly with the HR Executive Director. The HR Executive Director will:
 - a. Determine when vacancies in positions in the agency will be filled by qualified and interested members within the agency

- b. Perform appropriate liaison activities to successfully accomplish the promotional process
 - c. Be responsible for planning, organizing, staffing, directing, coordinating, reporting and budgeting of those areas relevant to MCSO personnel needs
 - d. Be responsible for the continuous review and revision of the selection and promotion process
 - e. Determine which examining device or combination of devices will be used to evaluate the relative fitness of promotional applicants
 - f. Assure that any written test used as a device in the promotional process is documented as being job-related. This is true for any test used or relied upon by MCSO, including those that are commercially developed. Any written tests used in the promotional process will have an updated bibliography of the reading materials used as the source of questions available. This information will be provided to each eligible applicant. Bibliographies will be prepared and periodically revised by representatives of the agency. Examination questions will be restricted to material covered in the referenced sources.
2. The Sheriff or his designee, through the HR Executive Director, will:
 - a. Maintain primary responsibility for the development of the measurement instruments used in determining the skills, knowledge and abilities of eligible members.
 - b. Retain final responsibility for the promotions of the members
 - c. Have input as to the promotional process and those devices identified and used in the examination
 3. The HR Executive Director will have primary responsibility for any oral interviews used in the promotional process, as well as administration of all members' probationary periods.
 4. The promotional process and procedures are subject to statistical proof and documentation and must satisfy professional, legal and administrative requirements designed to ensure that job-relatedness has been achieved.
 5. Examinations may be assembled or unassembled, will be practical in nature and will be constructed to reveal the capacity of the applicant for the particular class for which they are competing, their general background and related skills, knowledge and abilities as well as any character or personal traits which are job related.
 6. Promotional examinations will be open to any member who meets the qualification requirements.
 7. Promotional announcements publicizing the examinations to create eligible lists to fill current and/or future vacancies will be distributed and posted throughout MCSO and in public places as to ensure the widest possible exposure.

B. SWORN PERSONNEL

1. Promotion Eligibility Examinations

- a. Some positions require a candidate to pass a written examination to be eligible for promotion. When eligibility examinations are scheduled, the HR Executive Director is responsible for selecting a test administrator and ensuring that a written announcement of the examination process is issued to include the date and location of the examination and

a description of the eligibility requirements and the selection process. All posting and testing for positions within the current collective bargaining agreement will follow the agreed-upon guidelines.

- b. The determination of appropriate written, performance or other tests and the method of evaluating experience, education and training and any weights to be assigned to various parts of the examination will be a matter of cooperation between the HR Executive Director and the Sheriff. The examination will represent a proper balance between the specialized knowledge of position requirements possessed by MCSO personnel and the specialized knowledge of regulatory requirements and testing methods possessed by the Human Resources Division.
- c. Members must be employed full time by MCSO for 18 consecutive months before becoming eligible to participate in the promotional exam.
- d. The written promotional process announcement will include:
 - 1) A description of the positions or job classifications for which vacancies exist
 - 2) A schedule of dates, times and locations of all elements of the process
 - 3) A description of eligibility requirements
 - 4) A description of the selection process
 - 5) A bibliography of study material and information outlining the material that will be available.
- e. Members wishing to review and/or appeal a decision concerning their eligibility for promotion may make a request through the chain-of-command to the HR Executive Director to:
 - 1) Review the answer key to written examinations
 - 2) Review the written results to any scored elements of the process
 - 3) Contest in writing the process used in making said decision
- f. HR will have an examination plan prepared describing:
 - 1) Specific qualification requirements and alternatives
 - 2) Skills, knowledge and abilities to be measured
 - 3) The importance of weighing each part of the examination process
 - 4) The method to be used in evaluating each applicant against the others
- g. The Sheriff or his designee, through the HR Executive Director, will actively participate in the design and implementation of the examination plan.
- h. If applicable, the HR Executive Director will establish the minimum performance or cut-off score for all examinations.
- i. The HR Executive Director will ensure all elements of the promotional process are administered, scored, evaluated and interpreted in a uniform manner.
- j. The conduct of the examination and the operational elements of the promotional process will be clearly set forth and carried out identically for all candidates.
- k. The Sheriff, through the HR Executive Director, will assure compliance by having an active and continuous liaison with HR into the use of all devices used in the promotional process.
- l. The person proctoring the test will maintain control of all testing material until the date of the promotional examination.

- m. The HR Executive Director will provide final examination results in the form of numeric scores.
- n. Lists will contain the names of those persons who have passed the examination based on a pass or fail score point to determine if a member is eligible to apply for vacant sergeant positions.
- o. Members are not listed in any particular rank order on the eligibility list.
- p. Names will appear on the eligibility list for a period of 24 months.

2. Consideration for Promotion

- a. As vacancies become available, eligible members may submit their names to HR via e-mail to be considered for promotion. All members who participated in the promotional examination process are eligible to apply for vacant sergeant positions. However, only current sergeants and members with the top seven scores will be considered to fill the vacancy.
- b. Announcements of vacancies will be posted by HR in Outlook, which is accessible to all members. Posted announcements will include:
 - 1) The number and title of each vacant position
 - 2) The district/division in which each vacancy exists
 - 3) The pay-grade assigned to each vacant position
 - 4) The last date on which requests for consideration will be accepted ("closing dates")
 - 5) Instructions for requesting consideration for the position and how to obtain a copy of the job description
- c. After the closing date has passed, an interview will be required for an entry-level position. Interviews must be conducted, for the following:
 - 1) Volunteers (e.g., Reserves, VOICE)
 - 2) Entry Level Positions
 - 3) Promotion to Sergeant
- d. Human Resources will provide the commander of the district/division with the list of eligible individuals who have requested consideration for promotion. The commander will review the following when considering which candidate to recommend to the Sheriff for selection:
 - 1) Human Resources Division files, including information on seniority, background, special skills, etc.
 - 2) Training division files
 - 3) Letters of, and/or awards for, commendation/appreciation
 - 4) Discipline files
 - 5) Evaluations
 - 6) Discussions with current and former supervisors and/or co-workers of the candidates
 - 7) Incidents of sexual harassment for a candidate who may have contact with inmates in accordance with the Prison Rape Elimination Act (PREA).
- e. The commander may conduct individual interviews or an oral board. Questions must be consistent for all candidates.
- f. The commander's recommendation will document in detail his/her recommendation for selection to the Sheriff based on the required review of documents and any interview that may be conducted

- g. The selection recommendation will be returned to HR who will ensure the outlined process has been followed. The recommendation will be forwarded to the Sheriff for final approval via the Administrative Bureau Chief and the Undersheriff.
- h. For promotions to non-tested positions and for any lateral transfer, the vacant position's district/division commander or his/her designee will follow the same selection process as for tested positions.
- i. The entire promotion/transfer process will be evaluated annually by the HR Executive Director to determine its effectiveness in selecting the best qualified candidates in a fair and equitable manner. During the evaluation, circumstances concerning validity, usefulness and possible adverse impact should be considered in determining whether any component of the process is no longer appropriate. Appropriate revisions should be made.
- j. Salary increases due to promotion are effective when a member begins work in the new position. If the promoted member does not complete the promotional probationary period, the salary increase will be withdrawn when the member is removed from the new position.
- k. All members promoted/transferred are automatically placed on a 1-year intensive evaluation period for the new position, during which time they are ineligible to apply for a transfer. Members can apply for promotion. This is effective on the date of reporting to the new position. If a member fails to perform satisfactorily during the evaluation period following a promotion, he/she may be subject to an extension of the evaluation period or an involuntary demotion to the former classification held at the previous rate of pay.
- l. At least 20 days prior to the expiration date of a member's evaluation period, an evaluation report will be completed and discussed with the member:
 - 1) If the member's supervisor fails to complete this evaluation, the probationary period will automatically be extended for 90 days.
 - 2) The member will not be released from probationary status until this evaluation is completed, even after the 90 day extension has expired.
 - 3) Supervisors failing to complete the required final probationary evaluation are subject to disciplinary action.
 - 4) The evaluation report will state in writing whether or not the member has performed satisfactorily during the evaluation period.
 - 5) The evaluation report will be sent to the HR Executive Director prior to the expiration of the member's evaluation period indicating that an extension of the evaluation period is desired for additional observation.
- m. When the Sheriff believes that additional time is required to evaluate a member due to extenuating circumstances which did not allow the member to be fully evaluated during the normal evaluation period, the Sheriff may request an extension setting forth in writing the circumstances necessitating the extension.
- n. MCSO HR maintains performance evaluations of the probationary members. These members are evaluated regularly using valid, useful and nondiscriminatory procedures. The means of these evaluations are provided the probationary member through the evaluation period.
- o. All procedures used for the promotion/transfer process shall be job-related and nondiscriminatory.
- p. The HR Executive Director is responsible for maintaining documentation governing the procedures used in promotions/transfers. The documentation will include procedures for:

- 1) Evaluating the promotion/transfer potential of the candidates
- 2) Administering written tests
- 3) Determining eligibility for vacancies, in which lateral entry is permitted
- 4) Assisting with panel interviews
- 5) Security of promotional materials

- q. Although MCSO strongly supports a policy of promotion from within, nothing in this policy is intended to prohibit division commanders and other supervisors from reviewing the pool of external applicants prior to making selection recommendation to the Sheriff
- r. The administration retains the right to deviate from all or part of this selection procedure on a case-by-case basis, if it is determined to be in the best interest of the agency or the community.

C. CIVILIAN PERSONNEL: It is the Sheriff's policy that the promotional process for civilian employees be job-related and nondiscriminatory.

1. Vacancy Application

- a. Supervisory position vacancies will be announced by the Human Resource Division in accordance with the job vacancy posting policies.
- b. Employees meeting the announced eligibility requirements may submit their name to the Human Resource Division in accordance with the job vacancy application policies.

2. Interview Board: An oral board will interview all eligible candidates as part of the promotional process. The oral board will consist of five individuals selected as follows:

- a. The Director Human Resources or designee will select two members.
- b. The immediate supervisor of the position will serve on the board and will select the remaining two members.
- c. A list of job relevant questions will be compiled by the immediate supervisor of the vacant position. These questions will be submitted to the Director of Human Resources at least two working days before the scheduled oral board.
- d. Should the Director of Human Resources suspect any question to be illegal or improper the HR Director will contact the supervisor and work with him/her to compose an acceptable question.
- e. The oral board members will fairly and in a nondiscriminatory fashion select one applicant for recommendation for promotion and submit that applicant's name and a justification for the recommendation to the Sheriff via chain of command.

3. Sheriff's Promotional Authority: The Sheriff retains full authority for the promotional decision.

D. VETERANS' PREFERENCE

1. If the job posting is only open to internal employees, Veterans' Preference cannot be applied unless the employee was deployed/activated for at least 90 consecutive days while in his/her current position. However, an exception will be made if the employee was discharged early while serving in a combat zone or due to medical reasons.
2. MCSO does not use a numerical based examination process as a sole basis for promotional

decisions; however, those members whose employment with MCSO is interrupted by active duty military service who are preference-eligible under Section 295.07, Florida Statutes, and FAC Chapter 55A-7, who present documentation indicating honorable discharge from the United States of America active military, naval, or air service, will be given special consideration and priority at each step in the promotional process.

3. Preference will be given for all positions which a numerical examination is used, after the employee obtains a minimally-qualifying score. Said scores will be augmented by either 20, 15, or 10 percent as follows:
 - a. Twenty percent (20%) shall be added to the aggregate score of a disabled veteran who
 - 1) has a service-connected disability compensable under the public laws administered by the United States Department of Veterans Affairs ("DVA"); or
 - 2) is receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the DVA and the United States Department of Defense.
 - b. Fifteen percent (15%) shall be added to the aggregate score of a wartime veteran, as defined by Section 1.01 (14), Florida Statutes, who has served at least one day during a wartime period.
 - 1) Wartime periods are defined by Section 1.01 (14) (a) (i), Florida Statutes.
 - 2) Active duty for training will not qualify under this paragraph.
 - c. Ten percent (10%) shall be added to the aggregate score of a current member of any reserve component of the United States Armed Forces or the Florida National Guard.
4. Preference applies only to the employee's first promotion after reinstatement or reemployment. Should a preference-eligible employee be promoted without requesting available preference, the employee is not entitled to preference during a future promotional process absent additional active duty military service.
5. A preference-eligible employee that requests available preference during a promotional process and is not selected for promotion maintains preference eligibility for the next promotional process, which shall be given upon request and verification of eligibility.
6. Preference given in the promotional process does not require the promotion of a preference-eligible employee over a non-preference-eligible employee who is the most qualified for the promotion. Postsecondary educational requirements may be waived for a position of employment, other than positions made exempt, for a current member of any reserve component of the United States Armed Forces or the Florida National Guard or a veteran who has been honorably discharged if the person is otherwise qualified for the position.
7. Heads of departments and certain managerial positions are exempt.