

RESOLUTION NO. 22-238

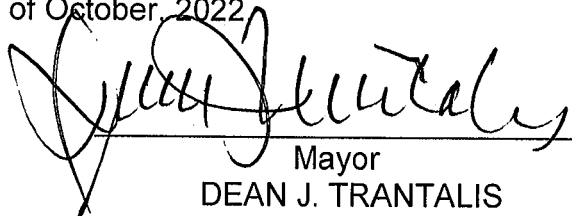
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND RATIFYING A MODIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF FORT LAUDERDALE AND FORT LAUDERDALE POLICE LODGE 31, FRATERNAL ORDER OF POLICE – POLICE LIEUTENANTS AND CAPTAINS.

WHEREAS, the City of Fort Lauderdale and Fort Lauderdale Police Lodge 31, Fraternal Order of Police - Police Lieutenants and Captains, entered into a collective bargaining agreement for the period October 1, 2020, through September 30, 2022;


NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission approves and ratifies a modification of the collective bargaining agreement between the City of Fort Lauderdale and Fort Lauderdale Police Lodge 31, Fraternal Order of Police - Police Lieutenants and Captains, for the period October 1, 2020, through September 30, 2022, thereby replacing Article 36 with Article 36 that is attached hereto and incorporated herein.

ADOPTED this 18<sup>th</sup> day of October, 2022.

  
Mayor  
DEAN J. TRANTALIS

ATTEST:

  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis      Yea

Heather Moraitis      Yea

Steven Glassman      Yea

Robert L. McKinzie      Not Present

Ben Sorensen      Yea

APPROVED AS TO FORM:

  
City Attorney  
ALAIN E. BOILEAU

**ARTICLE 36 - PROMOTIONAL EXAMINATION TO CAPTAIN**

**Section 1. The promotional process to the rank of Police Captain**

1. Advancement to the rank of Police Captain (“Captain”) shall be by job-related examinations developed by consultants competent in the law enforcement field outside the Human Resources Department (“HR”). The Chief of Police or designee shall be responsible for selecting the consultant company and vendors for promotional testing.
2. All promotional examinations for Bargaining Unit positions shall be administered by the Director of HR or the Director’s designated representative once every two (2) years in September. The test date may be extended by mutual agreement of the Union and HR.
3. HR will post an announcement of the examination by June 15<sup>th</sup> of the calendar year of the test examination. The first announcement posting for the rank of Captain shall occur on June 15, 2024. All test dates and times must be listed on the promotional announcement, along with the criteria, areas the exam will cover, and the identifiable sources from which the examinations are drawn. HR will make available (either provide a copy or arrange to have a copy available for purchase by the employee at the same cost that the HR is charged) a reproduction of all source material in promotional examinations to all qualified applicants.
4. The closing date for acceptance of an application for such promotional examination shall be the close of business on August 15<sup>th</sup>, following the announcement of the promotional examination..
5. The effective date of the official promotional register resulting from the examination will be no later than December 21<sup>st</sup> following the completion of the written test examination and assessment exercise process.
6. When the results of the written examination are compiled, the only information that shall be released is whether candidates achieved the minimum passing score on the examination. Any required posting shall be distributed electronically.

**PROMOTIONAL EXAMINATION TIMELINE FOR THE RANK OF CAPTAIN**

Announcement of the Promotional Examination for the rank of Captain	<b>June 15<sup>th</sup></b> of the calendar year of the Promotional Examination for the rank of Captain
Closing date of application	<b>August 15<sup>th</sup></b> following the June 15 <sup>th</sup> announcement of the promotional examination
Cut-off to meet minimum eligibility test requirements	<b>August 15<sup>th</sup></b> following the June 15 <sup>th</sup> announcement of the promotional examination

Promotional Written Test Examination including challenges, review, and adjustments	<b>September</b> following the August 15 <sup>th</sup> application closing/minimum eligibility requirement cut-off date
Promotional Assessment Exercise	<b>November</b> following the September Written Test Examination
Promotional Register Results/Final Score	<b>December 21<sup>st</sup></b> following the completion of the September Written Test Examination and November Assessment Exercise

**Section 2. Eligibility for the rank of Captain:**

1. For a Lieutenant to be eligible to take the examination for a promotion to the rank of Captain, the following eligibility requirement must be met:
  - Two (2) or more years in the rank of Lieutenant with the City of Fort Lauderdale.
2. All candidates must meet the minimum eligibility requirement by August 15<sup>th</sup> following the June 15<sup>th</sup> announcement of the promotional examination.

**Section 3. Promotional Examination Weights**

1. The promotional process for the rank of Captain shall consist of two parts with the following percentage weights:
  1. Written Test ..... 60%
  2. Assessment Exercise ..... 40%

**Section 4. Written Test**

1. The written test shall be administered first. The candidates for the rank of Captain position must successfully pass the written test with a raw score of seventy (70%) percent after completing the written test review process.
2. No curve shall be applied to the written test results.
3. When the results of the written test are compiled, the only information that shall be released is whether candidates achieved the minimum passing score on the examination.
4. A candidate who fails to achieve a passing score on the written portion shall not proceed further in the process.

**Section 4.1. Written Test Review Procedures**

1. The following test review procedures shall be followed for written examinations:

- Prior to notifying candidates of the results of the written examination, two (2) group test review sessions shall be conducted to permit all personnel who took the examination to attend, but no person shall be allowed to participate in more than one (1) review session.
- The review sessions shall be scheduled at times that will afford an opportunity for candidates to attend.
- Candidates shall be permitted to inspect the written examination, the answer key, and their answer sheets at this session.
- Candidates shall have three (3) business days after attending a test review session to lodge an appeal, in writing, to the test author. The basis for an appeal must be that the official answers to one or more test questions were incorrect.
- Appeals shall be limited to no more than the top twenty (20) most challenged answers to the questions submitted by the body.
- The test author shall render a decision which shall be final, binding, and without further recourse.
- The Assessment Exercise shall not be given until the appeals filed have been answered.
- The test author shall have no power to change, amend, add to, subtract from, or otherwise alter or supplement this Agreement, any part thereof, or any amendment thereto.

**Section 5. Assessment Exercise**

1. The Assessment Exercise shall be given after the written test and shall comply with the following:
  - The Assessment Exercise components will be based on the job requirements for the position under consideration.
  - The assessors shall consist of law enforcement command personnel selected from police agencies outside Broward County.
  - All Assessment Exercise assessors and other Assessment Exercise participants shall have no acquaintance with the promotional candidates.
  - Orientation sessions will be provided by the testing consultant on dates before the Assessment Exercise to provide qualified candidates with an overview of the Assessment Exercise process.
  - Orientation sessions shall be scheduled at times that will afford an opportunity for all candidates to attend.
  - Qualified candidates shall be afforded the opportunity to attend a feedback session with the consultant company that administered this Exercise, to review their Assessment Exercise results.

**Section 6. Preference Points**

1. Veteran's preference points shall be added to the combined score for eligible candidates in accordance with Florida Statutes.

2. Service credits points shall be added to the combined score for the candidate's continuous City service, which shall be computed as follows:
  - One-fourth of one-point (1/4) shall be added for each full year of uninterrupted service up to a maximum of twenty (20) years of service.
  - All such continuous City service must have been accumulated as of the close of the employment announcement for which the applicable promotional examination will be administered.
3. Veteran's preference points and Service Credits points shall be added to establish a Final Score.

### **Section 7. Final Score Calculation**

1. The **Final Score** shall be transparent, providing each candidate with the scores obtained in the written test, assessment exercise, and the point(s) obtained for each area earned as outlined in Section 6.

2. The **Final Score** shall be calculated in the following manner:

$(\text{Written Test Raw Score} * 60\%) + (\text{Assessment Exercise Score} * 40\%) = \text{Combined Score}$

$(\text{Combined Score}) + (\text{Preference Points}) = \text{Final Score}$

3. The **Final Score** shall be used to establish the promotional register.

### **Section 8. Procedure for Promotions**

1. The Police Chief shall have the right, when recommending appointments for promotion, to choose from the top five (5) candidates from the promotional register. The candidates passed over for promotion shall have the right to appeal beginning at Step 3 of the Grievance Procedure.

2. In the event of same day promotions, seniority rank in the new position shall be determined by Departmental Seniority.

3. If a promotional register is depleted before its expiration date, the Police Chief may request the HR Director or their designee to administer an interim promotional examination, which will expire at the two (2) year period of the original promotional examination.

4. If there is not an existing list from which promotions can be made, the City will fill said position upon completion of the interim promotional examination.