


**FLORIDA FISH AND WILDLIFE  
CONSERVATION COMMISSION**

**DIVISION OF LAW ENFORCEMENT  
GENERAL ORDERS**

**COLONEL JULIE JONES**



TITLE	<b>PERSONNEL ACTIONS</b>	EFFECTIVE DATE	<b>May 11, 2009</b>
CHAPTER	<b>GENERAL ORDER 14</b>	RESCINDS/AMENDS	<b>December 16, 2008</b>
APPROVED		PAGES	<b>9</b>

**1  
POLICY**

- A** It is the policy of the FWC Division of Law Enforcement to provide written procedures for promotions, lateral reassignments and demotions within the Division.
  - (1)** This process is within the guidelines of the Career Service Rules and Commission policies and procedures and is implemented so that the Division may select the best candidates available. All criteria used to evaluate candidates for promotions and lateral reassignments are job-related, nondiscriminatory and are based on a job task analysis or position description.
- B** Appointments to positions within the Law Enforcement Collective Bargaining Unit will be made in accordance with the Collective Bargaining Agreement.
  - (1)** Appeals or grievances shall be handled in accordance with Career Service rules or the applicable Collective Bargaining Unit Agreement process.
- C** Affirmative Action and veterans preference guidelines, when applicable, will be taken into consideration when filling any vacant position within the Division.
- D Sworn Members**
  - (1)** In accordance with chapter 119.07(3) (a), Florida Statutes, examination questions and answer sheets administered for the purpose of employment are exempt from the public records law. A person who has taken such an examination shall have the right to review only his or her own completed examination.
- E Non-sworn Members**
  - (1)** In accordance with chapter 110.1127, Florida Statutes, non-sworn members will be subject to employee security checks:
    - (a)** Applicants are required to go through a security background check, including fingerprinting, as a condition of employment.

- (b) The Division will follow statutory authority and the Fish and Wildlife Conservation Commission's Internal Management Policies and Procedures (IMPP) for hiring, promotions, reassignments and demotions or any personnel-related matter not addressed by this General Order.

## 2

## RESPONSIBILITIES

### A Division

- (1) No later than June 15 of each year, the Division will administer an annual exam for promotion to Investigator I and II. Applicants must meet the minimum qualifications set by the Division.
- (2) No later than June 15 of each year, the Division will administer an annual assessment center and a written examination to establish eligibility for promotion to Lieutenant.
- (3) The Division will schedule the promotional exam for Investigators I and II and the assessment center and written examination for Lieutenants in a manner that allows members to sit for the exam and participate in the assessment center in the same year.

### B Members

- (1) Members interested in taking promotional exams and/or participating in the assessment center for Lieutenants shall complete a Request to Take the Law Enforcement Promotional Test (FWC/DLE-235).
- (2) Sworn members covered under the applicable collective bargaining agreement are responsible for submitting a Request for Reassignment (FWC/DLE-177).
- (3) Sworn members covered under the applicable collective bargaining agreement are responsible for rescinding a request for reassignment in writing when they are no longer interested.
- (4) All requests to take a promotional exam must be filed every two (2) years and must be received by the Division Personnel Manager no later than the first business day after January 15 of each calendar year and shall remain effective until revoked by the member or expiration of request.
  - (a) All requests to participate in the Division's Assessment Center must be filed every year and must be received by the Division Personnel Manager no later than the first business day after January 15 of each calendar year and shall remain effective until revoked by the member or expiration of request.
- (5) Applicants meeting eligibility requirements will be notified when and where they are to report to take the written exam.
- (6) Applicants interested in promoting to Lieutenant must complete both the Assessment Center and the written examination in order to be placed on the promotional list for Lieutenants.

### C Division of Law Enforcement Personnel Manager

- (1) Is responsible for posting promotional and lateral reassignment opportunities on the Division of Law Enforcement website and on State of Florida People First Human Resource Management system.

### D Supervisors

- (1) All selection decisions must be approved by the Division Director or designee before an offer may be made to the recommended applicant. Offers may be made verbally, but will be documented in writing by the Division Director or designee. A member declining a selection offer must do so in writing.

**A Lateral Reassignment Opportunities for Positions covered by the Collective Bargaining Unit**

- (1) Except when a vacancy is filled by demotion, or when reassignment is not within the best interest of the Division, the Division Director will give first consideration to those sworn members with the greatest length of in-class service and who have submitted a Request for Reassignment (FWC/DLE-177) to the Division Personnel Manager.
- (2) Members may submit a request for reassignment at any time; however, all such requests shall expire on June 30 of each calendar year. Requests for reassignment for the next fiscal year may be filed on June 1 of the preceding fiscal year.
- (3) Members, whose request for reassignment is not submitted by the first day of the month, shall not be considered for vacancies which occur during that month.
- (4) When other factors, such as position requirements, preferred criteria, work history, and agency needs are equal, the Division Director should normally fill a permanent vacancy with the sworn member who has the greatest length of service in the class or of a higher rank and who has a request for reassignment on file for the county in which the vacancy exists.
  - (a) If several candidates meet the criteria given in 3. A. (4), the member who submitted the request for reassignment first will be assigned to fill the vacancy.
- (5) Sworn members may request reassignment to vacant positions in their current class after one year of satisfactory service in their present position. The date of the sworn member's graduation from a Basic Recruit Training Program shall determine the beginning date for the first year of eligibility.
- (6) When a sworn member has been reassigned pursuant to a filed Request for Reassignment, all other pending requests shall be canceled. No other Request may be filed for a period of twelve (12) months following the sworn member's reassignment. If a sworn member declines an offer of reassignment pursuant to a filed request, the sworn member will not be eligible for consideration for reassignment to the specific class(es) or county(ies) declined, for a period of twelve (12) months.
- (7) The Division may make the necessary staffing changes during an emergency or as otherwise required to meet urgent law enforcement needs of the State.
- (8) The Division Director may approve a reassignment prior to one year in the position for:
  - (a) Sworn member hardships,
  - (b) Critical needs of the Division, or
  - (c) Positions that are open and no permanent sworn member has sought reassignment to the position.
- (9) In approving a reassignment under section 3 A (8) (c) above, the Division Director shall give first consideration to sworn members based upon length of sworn service with the Division of Law Enforcement.
- (10) Law enforcement officer reassignments may be filled without being posted or advertised.
- (11) All reassignments will be at the discretion of the Division Director if the member is the subject of an internal investigation.
  - (a) Pending the outcome of the investigation and if the position is still open, the Division Director will review all the facts and make a decision in the best interest of the Division and in accordance with the currently applicable collective bargaining agreement.

## **B Filling vacant Positions not covered by the Collective Bargaining Unit**

- (1)** A vacant position not covered by the Collective Bargaining Unit may be filled through lateral reassignment, promotion of an eligible candidate, or both, based on the best interests of the Division.
  - (a)** When a vacant position is announced for reassignment, members may submit a request for reassignment during the announced open period.
  - (b)** When a vacant position is announced as a promotional opportunity, eligible candidates may submit their application through the State of Florida People First Human Resource Management system during the open period
  - (c)** When a vacant position is announced as a promotional opportunity and for lateral reassignment, eligible candidates shall apply using the appropriate method for their status as outlined in B (1) (a) or B (1) (b) above.
- (2)** Time extensions of the promotional lists for positions NOT covered under the applicable collective bargaining agreement may be made at the discretion of the Division Director.
- (3)** All applications for vacant positions not covered by the Collective Bargaining Unit undergo thorough review and vacant positions are filled based on the best interests of the Division.
  - (a)** An interview may be conducted of all qualified applicants.
  - (b)** All travel, examination and interview times are considered work time, to include the use of state vehicles and reimbursement for applicable travel expenses. If the exam or interview date falls on a scheduled day off, the supervisor may adjust the employee's days off at the employee's request.
- (4)** Vacancies for Lieutenant positions will be posted on the DLE web page.

## **C Promotional Exam Protocols for Positions Covered By the Collective Bargaining Unit**

- (1)** The promotional exam will be held no later than June 15 of each year, and the scheduled date will be posted at least three months before the exam date.
- (2)** All travel, examination and interview times are considered work time, to include the use of state vehicles and reimbursement for applicable travel expenses. If the exam or interview date falls on a scheduled day off, the supervisor may adjust the employee's days off at the employee's request.
- (3)** Make-up exams
  - (a)** Request for make-up exams must be made in writing not less than five working days before the exam date.
  - (b)** All make-up exam requests will be submitted through the chain of command to the appropriate Deputy Director who will make the decision.
  - (c)** Members with approved annual leave (approved prior to posting of the exam date), medical emergencies, subpoenas, or military leave will notify the Regional Training Lieutenant to schedule a make-up exam as soon as practical, but no later than 48 hours after return to duty with FWC.
- (4)** Review process – The test proctors will conduct a review of the test immediately following the exam. The review will consist of providing the officers and investigators with the correct answers and allowing them time (not to exceed one hour) to review their answers.
- (5)** Test analysis – Each question will be reviewed following FDLE law enforcement certified grading criteria procedures. The review process will be conducted by at least one captain and one lieutenant.
- (6)** Challenges

- (a) Challenges must be made in writing by the test taker within five days, to include email, indicating the question number and an example of the basis for the challenge. Examples would include; more than one correct answer, no correct answer, etc.
- (b) All challenges to test questions shall be submitted to the Training Center Director or designee.
- (c) The Training Center Director or designee will determine the appropriateness of the challenge.

**D Promotional Lists and Ranking of eligible Members for Positions Covered by the Collective Bargaining Unit**

- (1) The promotional lists, by class, will be published effective July 1 of each year, listing the candidates according to their final score on the written exam. Lists will be effective for one year from the publishing date expiring on June 30 every year.
- (2) Time extensions of the promotional lists for positions covered under the applicable collective bargaining agreement may be made only through a memorandum of understanding (MOU) with the applicable collective bargaining unit.
- (3) Except when a position is filled by reassignment as described above, or by demotion, vacancies, for which a promotional list exists, will be advertised on the DLE web page.

**E Promotion to Investigator I**

- (1) Promotion to Investigator I will be made through a competitive process. In order to be considered for promotion, each applicant must be eligible, meet the requirements specified below, and have applied for the vacancy as indicated on the job announcement.
- (2) Qualifications
  - (a) The sworn member must have two years of sworn law enforcement or sworn investigator experience (one of which must be FWC law enforcement) and successfully passed the annual written promotional examination.
  - (b) College education from an accredited institution can substitute at the rate of 30 semester or 45 quarter hours per year for a maximum of one year of the required experience. Any college credit awarded for completing the FWC Law Enforcement Academy or any other Law Enforcement Basic Recruit Program cannot be included in the total number of college credit hours needed to substitute college education for experience.
- (3) Written Examination – The score on the written promotional examination will be used and will carry a relative weight of 100 percent for ranking purposes on the promotional list.
- (4) Interview Panel – The Division may utilize a panel to interview employees who apply for an Investigator I vacancy in accordance with the Memorandum of Agreement with the Collective Bargaining Unit.
- (5) Applicant Selection – Promotion to the rank of Investigator I will be made by the Division Director from one of the top five applicants on the promotional list who requested the class and county.

**F Promotion to Investigator II**

- (1) Promotion to Investigator II will be made through a competitive process. In order to be considered for promotion, each applicant must be eligible, meet the requirements specified below, and have applied for the vacancy as indicated on the job announcement.
- (2) Qualifications
  - (a) The sworn member must have three years of sworn law enforcement or sworn investigator experience (one of which must be FWC law enforcement) and successfully passed the annual written promotional examination.

- (b) College education from an accredited institution can substitute at the rate of 30 semester or 45 quarter hours per year for a maximum of one year of the required experience. Any college credit awarded for completing the FWC Law Enforcement Academy or any other Law Enforcement Basic Recruit Program cannot be included in the total number of college credit hours needed to substitute college education for experience.
- (3) Written Examination – The score on the written promotional examination will be used and will carry a relative weight of 100 percent for ranking purposes on the promotional list.
- (4) Seniority Consideration – One point will be added to an applicant's score for each year of satisfactory service in all classes above the officer class up to a maximum of five (5) points.
- (5) Interview Panel – The Division may utilize a panel to interview employees who apply for an Investigator II vacancy in accordance with the Memorandum of Agreement with the Collective Bargaining Unit.
- (6) Applicant Selection – Promotion to the rank of Investigator II will be made by the Division Director from one of the top five applicants on the promotional list who requested the class and county.

**G Promotion to Lieutenant and Assessment Center for Lieutenant Candidates**

- (1) Promotion to Lieutenant will be made through a competitive process. In order to be considered for promotion, each applicant must establish eligibility by completing both the Division's Assessment Center and the Written Examination for Lieutenant Candidates.
- (2) Applicants for the Assessment Center and Written Examination for Lieutenant Candidates must have:
  - (a) Completed four years of sworn law enforcement experience (two years of which must have been FWC law enforcement).
    - 1. College education from an accredited institution can substitute at the rate of 30 semester or 45 quarter hours per year for a maximum of one year of the required experience. Any college credit awarded for completing the FWC Law Enforcement Academy or any other Law Enforcement Basic Recruit Program cannot be included in the total number of college credit hours needed to substitute college education for experience.
  - (b) Preferred Criteria
    - 1. Completion of an 80 hour Instructor Techniques workshop.
    - 2. Completion of an 80 hour First-Line Supervisor School.
    - 3. Completion of a 40 hour Field Training Officer (FTO) School.
    - 4. Successful completion of the Division's Law Enforcement Leadership Mentoring Program.
- (3) Assessment Center – The assessment center process may contain some or all of the following components:
  - (a) In-basket exercise(s)
  - (b) Preparatory work assignment(s)
  - (c) Live scenario(s)
  - (d) Written examination(s)
  - (e) Oral examination(s)
  - (f) Review of the candidate's past year's work product
- (4) Written Examination – The score of the written examination carries a relative weight of 95%.

An applicant's raw score is multiplied by 0.95 to achieve the Written Examination Score.

- (5)** Completion of the assessment center and the written examination will result in numeric scores used to rank and to establish a list of candidates eligible for consideration for promotion to Lieutenant.
  - (a)** The final score used to establish a candidate's ranking on the promotional list is determined in the following manner: [Assessment Center Score + (Written Examination Score x 0.95)] divided by 2 + Seniority Consideration/ Preferred Criteria (if applicable) = Final Score.
    - 1. Seniority Consideration – One point will be added to an applicant's final score for each year of satisfactory service in all included classes above the officer class up to a maximum of five (5) points.
    - 2. Preferred Criteria – One point will be added to the applicant's final score for each preferred criterion.
  - (b)** An applicant's final score must be at least 70 points in order to be placed on the promotional list and to be eligible for promotion to Lieutenant.
  - (c)** The eligibility list will be posted on the Division website by the Division of Law Enforcement Personnel Manager.
  - (d)** Assessment center and written examination scores will be valid for two years and will be included in next year's list, unless a candidate repeats the assessment center and written examination.
    - 1. If a candidate repeats the assessment center and written examination, only the most recent score will be considered for ranking and eligibility list purposes.
- (6)** Interview Panel – The Division may utilize a panel to interview employees who apply for a Lieutenant vacancy. The panel shall consist of a Major, a Captain, and a Lieutenant unless waived by the Division Director.
- (7)** Applicant Selection – Promotion to the rank of Lieutenant will be made by the Division Director from one of the top five applicants on the promotional list who requested the class and county as recommended by the interview panel.

#### **H Promotion to Law Enforcement Captain**

- (1)** In order to be considered for promotion to Law Enforcement Captain, each applicant must be eligible, meet the requirements specified below, and have applied for the vacancy as advertised.
- (2)** In order to be considered for promotion to Captain, the individual must have (or equivalent):
  - (a)** Completed five years of sworn law enforcement experience, one year of which must have been in a supervisory capacity.
    - 1. College education from an accredited institution can substitute at the rate of 30 semester or 45 quarter hours per year for a maximum of one year of the required non-supervisory experience. Any college credit awarded for completing the FWC Law Enforcement Academy or any other Law Enforcement Basic Recruit Program cannot be included in the total number of college credit hours needed to substitute college education for experience.
  - (b)** Preferred Criteria
    - 1. Successful completion of the Division's Law Enforcement Leadership Mentoring Program.
    - 2. Completion of a 40 hour Midlevel Leadership Management School.
    - 3. Completion of an 80 hour Instructor Techniques workshop.

4. Completion of a 40 hour Stress Awareness/Resolution School.

**(3) Selection Process**

**(a)** The Division Director may choose to institute a formal selection process for candidates eligible to promote to the Rank of Captain. This process may include, but is not limited to, the following elements:

1. Interview Board: Qualified candidates may be interviewed by the Division Director or designee, a Deputy Director, a Major, and a Captain.
2. Assessment Center: The Division may hold an Assessment Center for Captain candidates.
3. Evaluation of an applicant's relevant training and experience.

**(b)** Promotions to Captain are made at the discretion of the Division Director based on the outcome of the selection process.

**I Promotion to Major**

**(1)** Promotions to Major are made at the discretion of the Division Director based on an applicant's relevant training and experience.

**J Promotion to Chief of Staff/ Lieutenant Colonel**

**(1)** Promotions to Chief of Staff or Lieutenant Colonel are made at the discretion of the Division Director, with the approval of the Executive Director, based on an applicant's relevant training and experience.

**K Promotion of non-sworn Employees**

**(1)** The Division of Law Enforcement does not conduct a promotional process for non-sworn members. Positions available in the Division are defined by the State of Florida Department of Management Services as original appointments, promotions or reassignments.

**(2)** Except when filled by reassignment or demotion, vacant non-sworn Career Service positions are posted on People First and open to eligible members. Non-sworn Selected Exempt Service (SES) positions are posted on People First and open to eligible members, unless the Director or designee has approved waiving the job posting.

**L Career Service Voluntary Demotion Salary Reduction Program**

**(1)** When members are demoted, based upon a voluntary request, they will receive a reduction in pay. The reduction will be based upon the following guidelines:

- (a)** Within one year of promotion: They will be reduced to their previous pay, plus any raises that occurred for the class from which they promoted.
- (b)** If greater than a year, the reduction will be by 5% of their base salary, or by the percentage indicated below, whichever is greater.
- (c)** Between one and two years: Their current base salary will be reduced by 90% of their raise percentage received at promotion.
- (d)** Between two and three years: Their current base salary will be reduced by 75% of their raise percentage received at promotion.
- (e)** Between three and four years: Their current base salary will be reduced by 50% of their raise percentage received at promotion.
- (f)** Between four and five years: Their current base salary will be reduced by 25% of their raise percentage received at promotion.
- (g)** Anytime after five years: Their current base salary will be reduced by 5% regardless of the amount of raise they had received.

(h) A member's final pay shall not exceed the maximum of the pay range of the class the member is demoting to.

(2) Below is a chart that shows the amount of reduction on the base salary for four raise examples:

(a) If the employee demotes back to a class that is higher than the class from which they were promoted, the reduction will be calculated by reducing their pay according to the guidelines listed above, and then adding an appropriate raise to go from the reduced salary to a salary appropriate for the class to which they are being assigned.

Raise at Promotion	< 1 year	1 to 2 yrs.	2 to 3 yrs.	3 to 4 yrs.	4 to 5 yrs.	>5 years
5%	5%	5%	5%	5%	5%	5%
10%	10%	9%	7.5%	5%	5%	5%
25%	25%	22.5%	18.75%	12.5%	6.25%	5%
39%	39%	35.1%	29.25%	19.5%	9.75%	5%

**4  
FORMS**

FWC/DLE-177

Request for Reassignment

FWC/DLE-235

Request to Take the Law Enforcement Promotional Test