

## **Memorandum of Understanding Regarding Police Sergeant Promotions**

This Memorandum of Understanding ("MOU") between the Florida Order of Police Lodge No. 12 (FOP) and the City of Hialeah, Florida ("City") (collectively "the Parties") is entered into this 12<sup>TH</sup> day of March, 2020.

### **I. PURPOSE OF THE MOU**

The FOP is the bargaining agent for police officers employed by the City of Hialeah up to the rank of Lieutenant. The terms and conditions of employment for bargaining unit members are set forth in the Collective Bargaining Agreement (CBA) between the parties to this MOU currently in effect until its expiration on September 30, 2021. Article 23 of the CBA sets forth the promotions procedure to the ranks of Sergeant and Lieutenant. While Article 23 indicates that the next promotional exam to the rank of Sergeant is scheduled for October 2020; an MOU was entered into and agreed by the Parties in July of 2019 and an examination was administered in November of 2019. The material from which the examination may be drawn is required to be provided to the FOP at least 150 days prior to the date of the exam and the announcement of the examination date posted no later than 120 days prior to the date of the exam.

The City has vacancies for the position but no eligible employees to promote because the last certified promotional list has been exhausted. In order to address the need to staff the available Sergeant positions in the Police Department, a promotional Sergeant's exam shall be administered on June 23, 2020 pursuant to the terms set forth in this MOU.

### **II. CHANGES TO ARTICLE 23, PROMOTION PROCEDURE FOR THE SERGEANT'S EXAM ONLY**

The FOP and the City agree to amend Article 23, Promotion Procedure as follows:

1. The next Sergeant's examination shall be administered on June 23, 2020.

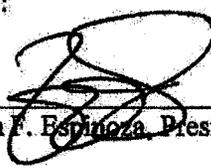
2. Any individual who would be qualified to sit for the examination as of October 31, 2020 shall be considered eligible to sit for the exam administered on June 23, 2020.
3. The City has submitted a proposed list of books and/or reference material, from which the examination may be drawn, to the FOP as of the date of this MOU and the FOP has reviewed and approved the list of books and reference material.
4. The City shall post notice of the exam to be administered on June 23, 2020, no later than March 31, 2020 on the bulletin boards around the City of Hialeah 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. Other than the changes set forth in this MOU, there are no other changes to the promotional procedure set forth in Article 23 as it relates to promotion to the rank of Sergeant.

### III. TERM OF MOU

This MOU will become effective upon ratification by the bargaining unit members of the FOP as of the date of execution by the FOP and the City set forth above. The changes set forth in this MOU shall remain in effect up until the life of the promotional list as a result of the June 2020 exam is exhausted or until a new list is certified on or about October 2022.

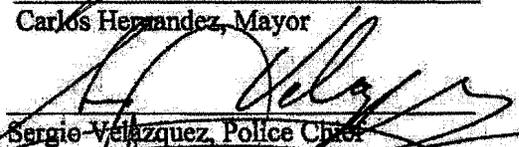
### IV. APPROVALS

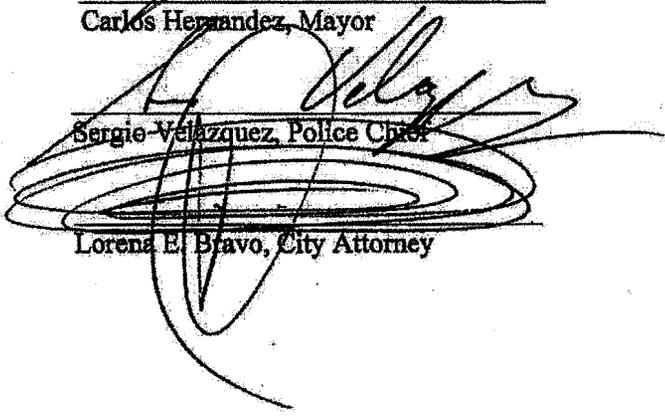
For the FOP:

  
Sgt. Marlon F. Espinoza, President

For the City:

  
Carlos Hernandez, Mayor

  
Sergio Velazquez, Police Chief

  
Lorena E. Bravo, City Attorney