

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF WEST PALM BEACH  
AND  
THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION**

THE CITY OF WEST PALM BEACH, FLORIDA (“CITY”) and the PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION (“PBA”) (collectively, “Parties”) agree on the following Memorandum of Understanding (“MOU”) modifying Article 13, EMPLOYMENT AND PROMOTIONAL POLICY, Section 4 of the Parties’ October 1, 2011 to September 30, 2014 Collective Bargaining Agreement (“CBA”) as follows:

Section 4.

A. Examination Provisions

1. The City agrees to use only job related promotional examinations.
2. a. The Police Sergeant's and Lieutenant's examinations will consist of three (3) portions, a written ~~technical~~ test, an assessment process, and an oral interview with the Promotional Review Committee. All three (3) portions of the promotional process must be completed to be considered for promotion.
- b. The candidate must obtain a passing score of seventy-five 75% in each of the written test and the assessment process portions of the examination(s) to be eligible to participate in the oral interview before the Promotional Review Committee. The scores on the written test and the assessment process will be included as a weighted component in the calculation of final ranking.
- c. ~~The panel to discuss and determine the criteria for the oral interview examination shall consist of three (3) representatives from the City and three (3) representatives from the PBA in collaboration with the Human Resource Director and the Employment and Compensation Manager.~~

The Oral Interview process will require the candidate to submit two (2) Professional History Review Forms (“Forms”) containing examples of past actions, accomplishments, achievements and/or contributions that the candidate has achieved during their tenure with the West Palm Beach Police Department. The Forms must be submitted two (2) weeks prior to the actual interview along with a signed Affirmation (“Affirmation”) attesting to the truth of the Forms’ contents. The candidate’s immediate commander/supervisor will be required to review and research the Forms’ contents and validate that the material submitted for review by the candidate was actually accomplished and achieved by the candidate. If the commander/supervisor confirms the accuracy of the Forms’ contents, the commander/supervisor will also have to submit a signed Affirmation attesting to the truth of the Forms’ contents.

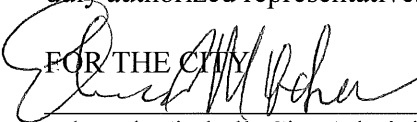
- d. The written test will utilize the same study resource material as listed for the assessment process indicated in A.4, below.

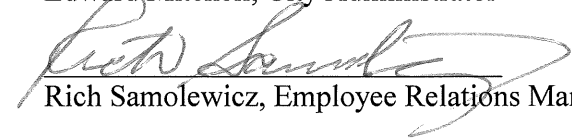
3. a. ~~The candidate must obtain a passing score of seventy five 75% in both the written and \_\_\_\_\_ the assessment process of the examination(s) to be eligible to participate in the assessment process structured oral interview before the Promotional Review Committee. The score on the written examination will be included as a weighted component in the calculation of final ranking.~~
- b. ~~The Parties agree that In-house Subject Matter Experts (SME's) will develop the written test in consultation with Human Resources. During the development of the written test, no SME shall have knowledge of more than his or her own questions submitted to Human Resources for development of the written test. At no time after development of the written test, shall any member of the West Palm Beach Police Department other than the Captain of Internal Affairs have knowledge as to the questions Human Resources selected to be on the respective written exam. the City will draft and submit an RFP and the PBA reserves the right to obtain the services of an outside test preparation vendor approved by the Director of Human Resources or his/her designee in collaboration with the PBA.~~
4. The assessment process consists of ~~written~~ video scenarios based upon Departmental Policy and Procedure, Florida State Statutes, Florida Legal Guidelines and ~~one (1) additional reference material~~ a leadership and/or supervision book(s) selected by the Promotional Review Committee.
5. The Oral Interview Promotional Review Committee will be selected by the Chief of Police or his/her designee and will consists of ~~three (3)~~ four (4) police department representatives from a pool of assistant chiefs and captains, ~~one (1) Lieutenant~~ and a representative from the Human Resources Department, who serves as the committee's facilitator. The score on the oral interview will not eliminate candidates, but it will be included as a weighted component in the calculation of final ranking.

The Parties represent that they have full legal authority to enter into this Memorandum of Understanding. In addition, the Parties agree that this represents the entire MOU and agreement between CITY and PBA as to Article 13, Section 4, and the remainder of the contract remains in full force and effect.

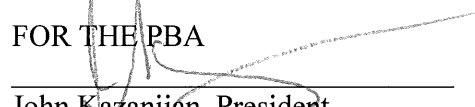
IN WITNESS THEREOF, the Parties have caused this Memorandum of Understanding to be signed by their duly authorized representatives on the 28 day of February, 2012.

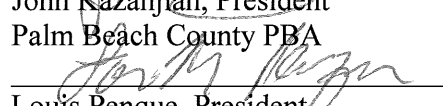
FOR THE CITY

  
\_\_\_\_\_  
Edward Mitchell, City Administrator

  
\_\_\_\_\_  
Rich Samolewicz, Employee Relations Manager

FOR THE PBA

  
\_\_\_\_\_  
John Kazanjian, President  
Palm Beach County PBA

  
\_\_\_\_\_  
Louis Penque, President  
West Palm Beach PBA

City Attorney's Office  
Approved as to form and legal sufficiency  
By: \_\_\_\_\_  
Date: 2/28/12