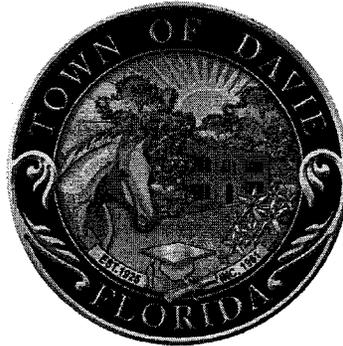


**TOWN OF DAVIE
HUMAN RESOURCES DEPARTMENT**



**DEMOTION POLICY
SOP #21-008**

September 19, 2012

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This operating procedure shall replace the Personnel Rules and Regulations and Policies enacted prior to the effective date of this Operating Procedure.

Revision	Date	Responsible Department	Description of Change
1	December 16, 2009	Human Resources	Initial Release
2	September 19, 2012	Human Resources	Revision

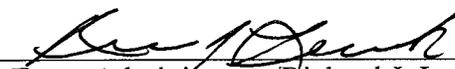
APPROVALS:



Human Resources Director/Grace Garagazzo

2/5/19

Date



Town Administrator/Richard J. Lemack

2/7/19

Date

1-1. POLICY.

It is the policy of the Town of Davie to provide Department Directors with the authority to demote employees for just and reasonable cause. The demotion may be in the form of a reduction in pay; and/or a lesser job classification in consultation with the Human Resources Director and Town Administrator.

1-2. SCOPE.

This policy applies to all employees of the Town of Davie (Town) in the Regular Service (regardless of probationary or other status), as well as all Executive, Part-Time, and Seasonal employees.

1-3. PROCEDURE.

a. Demotion for Inability or Voluntary Demotion

1. A regular or probationary period employee, may, because of his or her inability to satisfactorily perform the duties and responsibilities required, be demoted to a job classification with a lower maximum pay rate in the pay grade assigned to such job classification, if such position is available. Such demotion may also be made upon the employee's written request with the approval of the Town Administrator and Human Resources Director.
 2. Demotions may also be made in lieu of layoff or on a voluntary basis at the election of the employee and with the approval of the Department Director and Human Resources Director.
 3. Effect of Demotion for Inability or Voluntary Demotion
 - (i) Pay Grade and Pay Rate: an employee may be adjusted to the pay rate in the pay grade of the job classification to which the demotion is made that is equivalent to the pay rate the employee would have normally attained had he or she been initially employed in such lower job classification. Human Resources in conjunction with the Department Director will determine an appropriate pay rate, based on equity and the department's budget.
 - (ii) Probationary Period: a probationary period employee shall serve the balance of his probationary period, but a regular employee will not be required to serve another probationary period.
 - (iii) Anniversary Date: Upon such demotion, employees shall retain their current anniversary dates
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b. Disciplinary Demotion

1. A regular or a probationary period employee may be demoted for disciplinary reasons by approval of the Department Director and Human Resources Director. Such demotion may be accomplished by a reduction in the pay rate of the employee's present pay grade or the employee's reduction to a job classification which has a lower pay grade established.

2. Effect of Disciplinary Demotion

(i) Pay Rate and/or Job Classification Reduction: An employee may be reduced to any lesser pay rate in the pay grade of the job classification to which the demotion is made, as determined by the Department Director and approved by the Human Resources Department.

(ii) Anniversary Date: Upon such demotion, an employee's anniversary date shall be changed to the effective date of such demotion and such employee may not be eligible for consideration for a merit pay increase before twelve (12) months from the effective date of demotion.

(iii) Probationary Period: Upon such demotion, a probationary employee shall normally serve only the balance of his or her probationary period and a regular employee may not be required to serve another probationary period, unless otherwise agreed to by Human Resources.

c. Demotion of Promoted Employee Currently Serving a Probationary Period: A promoted employee currently serving an probationary period following promotion may be demoted in accordance with the following:

1. Demotion for Inability:

(i) An employee may be demoted for his or her inability to perform the duties and responsibilities required by the job classification to which he or she was promoted.

(ii) Upon such demotion, such employee may be returned to a position in his or her former job classification in accordance with seniority.

(iii) Pay rate, anniversary date, and probationary period, if any, may be adjusted to correspond to what the employee normally would have attained had he or she not been promoted.

(iv) Any employee who is displaced by the demotion of a probationary period employee in accordance with the above procedure shall be subject to the provisions outlined concerning layoff.

2. **Disciplinary Demotion:** Such employee may be demoted for good and sufficient reason as determined by the Department Director and such demotion shall be in accordance with the appropriate Personnel Provisions.