

Section 13.1

RIGHT OF WAY TRAINING PROGRAM

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Section 13.1

RIGHT OF WAY TRAINING PROGRAM

PURPOSE

To describe the requirements for participation in the Right of Way Training Program, the respective responsibilities associated with its conduct, and the operations necessary for it to be effectively carried out.

The purpose of the Training Program is to:

- (A) Improve professional competence;
- (B) Provide salary incentives;
- (C) Improve the right of way property acquisition process; and
- (D) Prepare employees for advancement.

AUTHORITY

Sections 20.23(3)(a) and 334.048(3), Florida Statutes, F.S.

REFERENCES

Chapter 60L-33, Florida Administrative Code (F.A.C.)
Section 216.521(3), F.S.
Office of Right of Way Quality Assurance Monitoring Plan

SCOPE

All Central Office and District employees of the Office of Right of Way and the Human Resources Office (HRO).

BACKGROUND

In conjunction with FDOT's overall policy to increase its internal professional standards

and improve its operating practices and procedures, formalized training programs have been developed for Right of Way Specialist I employees and selected Right of Way Specialist II employees.

The Training Program is designed as an internship where the trainee works with real world situations using knowledge and skills introduced in a specially designed series of courses. A mentoring program at the District level shall be developed for each trainee prior to the first training segment. Success in the program is based on passing courses, completing the required work units, and receiving satisfactory trainee performance ratings from the supervisor. Trainees are expected to be productive employees, apart from their participation in the Training Program.

Conduct of the Training Program described herein is contingent on the approval of funding for each fiscal year and is subject to change based on FDOT's needs.

13.1.1 Real Estate, Level II Training Program Eligibility

Participation in this program is mandatory for all Right of Way Specialist I employees except those who have completed the Real Estate, Level II Training Program within the previous three (3) years. Participants will be appointed to the program with trainee status effective on the date the training cycle in which they are enrolled officially begins, which status shall be retained until graduation from the program or removal from the program by promotion or as described in **Section 13.1.13**. The official beginning date of a trainee's training cycle is determined by the Central Office Training Program Manager and notification is by a **Letter of Appointment** from the District Right of Way Manager, see **Attachment 1**.

13.1.2 Real Estate, Level III Training Program Eligibility

Participation in this program is not available to all Right of Way Specialist II employees. Entry into the program is by appointment of the District Right of Way Manager. Participants will be appointed to the program with trainee status effective on the date the cycle in which they are enrolled officially begins, which status shall be retained until graduation from the program or removal from the program by promotion or as described in **Section 13.1.13**. The official beginning date of a trainee's training cycle is determined by the Central Office Training Program Manager and notification is by a **Letter of Appointment** from the District Right of Way Manager, see **Attachment 2**. To be eligible for the Real Estate, Level III Program, a candidate must meet all the following minimum qualifications:

- (A) Be currently employed with FDOT as a Right of Way Specialist II and be assigned full time to a unit that encompasses one or more of the major functions typically undertaken by the Appraisal, Appraisal Review or Valuation Services Section of the Office of Right of Way;
- (B) Have been employed with FDOT as a Right of Way Specialist II employee for four years or less.
- (C) Have successfully completed the courses "**AI-110 - Appraisal Principles**" and "**AI-210 - Appraisal Procedures**" which are provided by the Appraisal Institute.

NOTE: Completion of the Real Estate, Level II Training Program is not required for an appointment into the Real Estate, Level III Training Program.

13.1.3 Enrollment Procedure

13.1.3.1 Potential trainees must acknowledge receipt of their **Letter of Appointment**, which stipulates the current terms of the program, before beginning the program. The original **Letter of Appointment** is placed in the trainee's official personnel record in the District. Copies of the **Letter of Appointment** are to be sent to the Right of Way Training Program Administrator in Tallahassee, the trainee's immediate supervisor, and the trainee.

13.1.3.2 All trainees are placed on trainee status in the People First System by the HRO as noted in **Section 13.1.3.1**. It is the responsibility of the District Right of Way Office to notify the appropriate District Personnel Office of this appointment and the requirement to place the employee on trainee status.

13.1.3.3 Upon leaving the Training Program, a trainee whose probationary period has not concluded will again be placed on probationary status for the time remaining in his/her probationary period. Probationary and trainee status do not run concurrently.

13.1.4 Program Requirements

13.1.4.1 Work unit credits may be earned from any section of the Right of Way production process. A prescribed format of courses and a minimum number of required units of demonstrated work products will be included in each segment of the Right of Way Training Program and are identified separately from this section. The course curriculum and required demonstrated work products will be defined by the Director, Office of Right of

Way in concert with the District Right of Way Managers.

13.1.4.2 Courses and required units of demonstrated work may be amended at any time during the course of the program at the discretion of FDOT when necessary to carry out the responsibilities of FDOT. While the District has the discretion to modify a work unit assignment up to one (1) full work unit credit depending on the degree of complexity, a written justification for the modification must be documented and placed in the official file. District Right of Way Managers may request prior approval from the Director, Office of Right of Way to utilize a work activity that is not listed on **Form No. 575-000-02, Right of Way Trainee Work Unit Worksheet**. The District must provide a written explanation of the work activity and the recommended work unit credit for the activity. The trainee should not begin working on the proposed activity until the District has received approval from the Director, Office of Right of Way.

NOTE: One (1) full work unit credit is equivalent to 40 collective work hours. This formula should be considered when determining the recommended work unit credits for a new activity.

13.1.4.3 Supporting documentation and evidence of each trainee's satisfactory completion of required demonstrated work products will be maintained by the trainee's supervisor in the files of the Right of Way Office of the trainee's respective District. If the work unit is for a production project, the work unit may be placed in FDOT's official files; however, the trainee's supervisor must be able to provide the work unit documentation for quality assurance review purposes.

13.1.5 Real Estate, Level II Program Duration and Time Limit

13.1.5.1 This program is twenty-four (24) months in duration. It is composed of four six-month segments. Within each segment, the trainee is required to attend and satisfactorily complete designated courses, to complete prescribed demonstrated work products and to work and train in a variety of functional areas within Right of Way. The above timeframes are in force even if courses in the curriculum are exempted under provisions of the program. The cross training provided by the Districts will be as follows:

- (A) In the first segment, the District will provide each trainee experience in any section of the Right of Way production process.
- (B) In the second, third, and fourth segments, each trainee must complete mandatory work units in the area of Appraisal in accordance with the Right of Way Level II Demonstrated Work Unit Schedule. The District must also

ensure that each trainee produces mandatory work units outside of the trainee's section of assignment.

- (C) At the completion of the 24-month Level II Training Program, each trainee must have a minimum of four (4) work unit credits in each of the Right of Way disciplines of Acquisition, Relocation, and Property Management. The District Right of Way Manager or designee will be responsible for determining that all work products meet FDOT standards.

13.1.5.2 Trainees will be allowed to repeat an unlimited number of course exams and segment exams once, but in no circumstance, will the training period for the entire **Real Estate, Level II Training Program** for any trainee be allowed to extend beyond four (4) years from the date of enrollment in the program, unless an exception is granted by the District Right of Way Manager and the Director, Office of Right of Way. Failure to complete the entire **Real Estate, Level II Training Program** within four (4) years from commencement will result in:

Any personnel action, including but not limited to suspension, dismissal, reduction in pay, demotion, or reassignment, at the discretion of the District Right of Way Manager and in accordance with Department procedure. While the employee is in a trainee or probationary status, he/she is not in a career service protected position. These actions are exempt from the provisions of **Section 110.227 and Chapter 120, F.S.**

13.1.6 Real Estate, Level III Program Duration and Time Limit

13.1.6.1 This program is thirty-six (36) months in duration and is composed of three one-year segments. In addition to regular work assignments, a prescribed format of courses and required units of work will be included in each segment of the program. The Deputy District Right of Way Manager - Appraisal will make appropriate assignments for demonstrated work products to assure that, as much as practicable, course work and training assignments are coordinated to optimize the value of each. The above timeframes are in force even if courses in the curriculum are exempted under provisions of the program.

13.1.6.2 Trainees will be allowed to repeat an unlimited number of course exams and segment exams once, but under no circumstances shall the training period for the entire Real Estate, Level III Training Program for any trainee be allowed to extend beyond five (5) years, unless specifically authorized by the District Right of Way Manager and the

Director, Office of Right of Way.

Any personnel action, including but not limited to suspension, dismissal, reduction in pay, demotion, or reassignment, at the discretion of the District Right of Way Manager and in accordance with Department procedure. While the employee is in a trainee or probationary status, he/she is not in a career service protected position. These actions are exempt from the provisions of **Section 110.227 and Chapter 120, F.S.**

13.1.7 General Trainee Performance Requirements

Following each required course and examination, the Central Office Training Program Administrator is responsible for notifying each District Right of Way Manager regarding the performance of trainees in his/her District. District Right of Way Managers or their designees are responsible for assigning and certifying completion of work product assignments in the District work program that will enable the trainee to utilize the course work.

13.1.8 Real Estate, Level II Program Trainee Ratings

13.1.8.1 Progress of the trainee will be monitored by the trainee's supervisor and the District Right of Way Manager. Every three (3) months, between formal ratings, an informal review will be conducted by the trainee's supervisor with the trainee. Its purpose will be to ascertain the trainee's progress toward meeting the Training Program's objectives, particularly the work experience requirements, and to identify those areas within which the trainee needs assistance so as to successfully complete the program. The informal review must be documented and signed by the trainee and the trainee's supervisor.

13.1.8.2 A formal trainee rating will be completed by the trainee's supervisor at the end of six (6), twelve (12), eighteen (18) and twenty-four (24) months on [Form No. 575-000-03, Trainee Rating Form Real Estate, Level II Training Program](#). The rating will specify whether the trainee's job performance is satisfactory or unsatisfactory.

13.1.8.3 [Form No. 575-000-02, Right of Way Trainee Work Unit Worksheet](#) and [Form No. 575-000-03, Trainee Rating Form Real Estate, Level II Training Program](#) must be transmitted to the Central Office Training Program Administrator not less than three (3) weeks prior to the end of each segment and a copy sent to the District Human Resources Office. There is no requirement that a performance evaluation be performed, as long as the trainee is receiving segment end evaluations.

13.1.8.4 Formal trainee ratings will be given not less than once every six (6) months. Additional ratings may be given at any time the respective trainee's performance falls below acceptable standards. The rating period must be clearly shown and may not be less than sixty (60) days from the earlier rating.

13.1.9 Real Estate, Level III Program Trainee Ratings

13.1.9.1 Progress of the trainee will be monitored by the designated supervisor and the District Right of Way Manager. Every six (6) months, between formal ratings, an informal review will be conducted by the trainee's supervisor with the trainee. Its purpose will be to ascertain the trainee's progress toward meeting the FDOT's goal of having a staff of experienced, educated review appraisers who can ably handle the most complex appraisal problems. Its purpose will also be to identify those areas within which the trainee needs assistance so as to successfully complete the program. The informal review must be documented and signed by the trainee and the trainee's supervisor.

13.1.9.2 A formal rating will be completed by the trainee's supervisor at the end of twelve (12), twenty-four (24), and thirty-six (36) months on [Form No. 575-000-04, Trainee Rating Form - First Year Right of Way, Level III Training Program](#), [Form No. 575-000-05, Trainee Rating Form - Second Year Right of Way, Level III Training Program](#), and [Form No. 575-000-06, Trainee Rating Form - Third Year Right of Way, Level III Training Program](#), respectively. The rating will specify whether the trainee's job performance is satisfactory or unsatisfactory.

13.1.9.3 [Form No. 575-000-02, Right of Way Trainee Work Unit Worksheet](#) and either [Form No. 575-000-04, Trainee Rating Form - First Year Right of Way, Level III Training Program](#), [Form No. 575-000-05, Trainee Rating Form - Second Year Right of Way, Level III Training Program](#), or [Form No. 575-000-06, Trainee Rating Form - Third Year Right of Way, Level III Training Program](#) must be transmitted to the Central Office Training Program Administrator not less than three (3) weeks prior to the end of each twelve (12) month segment. A copy of this rating will be sent to the District Personnel Office.

13.1.9.4 Formal trainee ratings will be given not less than once every twelve (12) months. Additional ratings may be given at any time the respective trainee's performance falls below acceptable standards. The rating period must be clearly shown and may not be less than sixty (60) days from the earlier rating.

13.1.10 Course Examinations

13.1.10.1 An examination will be given at the end of each required course. Trainees will be tested on their comprehension of the course material. Courses will be considered satisfactorily completed when the respective course examination has been passed.

13.1.10.2 If a trainee has taken and passed a required course or its approved substitute within the three (3) years preceding the date the course is offered in the program; the trainee will not be required to take it again. However, the trainee must provide proof of passing the course and the date it was taken. The final determination of what constitutes approved substitutes is the responsibility of the appropriate Central Office Deputy Director, with the concurrence of the Director, Office of Right of Way. The trainee will be responsible for all course material covered during each segment.

13.1.10.3 Whenever trainees are unable to successfully complete a required course they may retake the course at FDOT's expense only once. Trainees may retake a course as many times as they wish at their own expense and on their own time with no penalty for failing those courses and exams. Failure to pass the FDOT provided course exam a second time will result in dismissal from the Training Program under the conditions outlined in **Section 13.1.13.3**.

13.1.10.4 A trainee will not receive a salary increase under the provisions of **Section 13.1.14** until the end of the segment in which the course is successfully completed. If segment increases have been delayed because of course failure, all training increases for each segment will be computed based on the current base salary of the trainee after adding the delayed segment salary increase(s).

13.1.10.5 It is the trainee's responsibility to arrange, through the course provider, such as the Appraisal Institute (AI) International Right of Way Association (IRWA), etc., to take the subsequent course of a previously failed course. Upon request, Central Office is available to assist with such arrangements.

13.1.11 Promotions While in the Training Programs

The advancement of fully qualified professionals is encouraged. However, in order to promote a trainee in the Training Program prior to completion of the program, the trainee must have successfully completed each training course scheduled prior to the date of promotion and a prorated share of demonstrated work products scheduled to that date of promotion.

13.1.12 Payment of Exam and License Fees

FDOT will not pay the fee for any licenses or certifications or for examinations pertaining thereto. Such payment is considered a perquisite and prohibited by law.

13.1.13 Removal from the Training Program

13.1.13.1 Any trainee who receives two successive unsatisfactory ratings from the supervisor will be removed from the Training Program under the terms and conditions described in **Section 13.1.13.3**.

13.1.13.2 Should a trainee fail a second time an exam for a course provided and paid for by FDOT, the trainee shall be removed from the Training Program under the terms and conditions described in **Section 13.1.13.3**.

13.1.13.3 Removal from the Training Program will result in:

Any personnel action, including but not limited to suspension, dismissal, reduction in pay, demotion, or reassignment, at the discretion of the District Right of Way Manager. While the employee is in a trainee or probationary status, he/she is not in a career service protected position. These actions are exempt from the provisions of **Section 110.227 and Chapter 120, F.S.**

13.1.14 Eligibility for Salary Increases

13.1.14.1 Subject to the approval required by **Section 216.251 (3), F.S.**, Real Estate, Level II trainees who successfully complete all the requirements for a given six (6) month segment of the Training Program will receive a five percent (5%) salary increase. The effective date of the increase will occur per **Section 13.1.18 (A)** or **(B)**. A trainee may take courses offered in succeeding segments prior to completing requirements for an earlier segment, with the approval of the trainee's supervisor and the Central Office Training Program Manager. However, in no case may the trainee receive a salary increase until all the requirements of each previous segment are satisfied. This salary increase is subject to budget and rate availability.

13.1.14.2 Promotion to Right of Way Specialist II upon completion of the Real Estate Level II Training Program is at the discretion of the District Right of Way Manager and is encouraged. Reclassification and/or promotion and salary increase are contingent upon rate availability in the District, and should be planned for. Such promotion will be accompanied by not more than a ten percent (10%) salary increase unless exceptional

circumstances warrant an advanced appointment rate. This salary increase is subject to budget and rate availability.

13.1.14.3 Subject to the approval required by **Section 216.251 (3), F.S.**, Real Estate, Level III trainees who successfully complete all the requirements for each one (1) year segment will receive a ten percent (10%) salary increase. The effective date of the increase will occur per **Section 13.1.18 (A) or (B)**. With the approval of the trainee's supervisor and the Central Office Training Program Manager, a trainee may take courses offered in succeeding segments prior to completing requirements for an earlier segment. In no case may the trainee receive a salary increase until all requirements of the previous successive segment are satisfied. This salary increase is subject to budget and rate availability.

13.1.15 Processing Salary Increases

13.1.15.1 The Central Office Training Program Manager must recommend all increases to the District Human Resources Office per **Section 13.1.18 (A) or (B)**.

13.1.15.2 The Central Office Training Program Manager will notify the District Right of Way Manager, and the District Personnel Office of the names of trainees who have earned a salary increase and the percent of increase.

13.1.16 Employee Benefits

Trainees will receive the employment benefits offered State employees.

13.1.17 Program Completion

Upon successful completion of the program, the trainee will receive a training certificate. Trainees who do not complete the program in its entirety as outlined in this procedure will not be eligible for certification.

13.1.18 Quality Assurance Reviews

13.1.18.1 The Central Office Training Administrator tracks which of the following Quality Assurance Review options the District Right of Way Manager has selected for their District:

- (A) Central Office Right of Way will conduct the Quality Assurance Review of the trainee work unit products at the end of each training segment. A review of the findings will be discussed with the trainee, the trainee's supervisor, and the District Right of Way Manager or designee. Upon resolution of any findings, the trainee will be approved for the designated salary increase.
- (B) Central Office Right of Way will conduct the Quality Assurance Review of the trainee work unit products during the scheduled compliance reviews outlined in the ***Office of Right of Way Quality Assurance Monitoring Plan***. The findings will be documented in the District's Quality Assurance Review report. Under this option, the effective date of the increase will be the pay period following the submission of the ***Form 575-000-02, Right of Way Trainee Work Unit Worksheet*** and the appropriate ***Trainee Rating Form*** to the Central Office Training Program Administrator.

13.1.18.2 If the District Right of Way Manager wishes to change their selected Quality Assurance Review option, a request must be made to the Central Office Training Administrator for approval. The request must include a begin date for the new Quality Assurance Review option.

TRAINING

None required.

FORMS

The following forms are available through the FDOT Forms Library:

- 575-000-02, Right of Way Trainee Work Unit Worksheet
- 575-000-03, Trainee Rating Form Real Estate, Level II Training Program
- 575-000-04, Trainee Rating Form - First Year Right of Way, Level III Training Program
- 575-000-05, Trainee Rating Form - Second Year Right of Way, Level III Training Program
- 575-000-06, Trainee Rating Form - Third Year Right of Way, Level III Training Program

LETTER OF APPOINTMENT - REAL ESTATE, LEVEL II

(Trainee Name and Address)

Dear _____,

Congratulations. You have been appointed to the Florida Department of Transportation Right of Way Training Program effective _____(date).

Below is a description of the basic elements of the program as found in the ***Right of Way Manual, Section 13.1***. The program is subject to change based on statutory requirements, the needs of the Department, budget authorization and rate availability.

The terms and conditions of the Right of Way Training Program are set forth in the ***Right of Way Manual, Section 13.1***. The trainee will abide by all provisions of ***Section 13.1***, and particularly note the following:

- Participation in the Real Estate, Level II Training Program, beginning with the next available cycle, is mandatory for all newly appointed Right of Way Specialist I employees. (***Section 13.1.1***)
- On the official date when your Training Program cycle begins, you will be placed on Trainee status which shall be retained until graduation from the Training Program. (***Section 13.1.3***)
- Upon your successful completion of the Training Program, you will again be placed on Probationary status pursuant to ***Rule 60L-33.003 (1)(c), F.A.C.*** for the remainder of time to complete a total of your one-year probationary period. (***Section 13.1.3.3***)
- Upon successful completion of each six-month segment you will receive a 5% salary increase, if such increase is approved pursuant to ***Section 216.251 (3), F.S.*** (***Section 13.1.14.1***)
- You will receive all employment benefits for State employees. (***Section 13.1.16***)
- If you receive two successive unsatisfactory ratings from your supervisor or failure to pass exams (allowing two attempts paid for by the Department), you will be subject to:

Any personnel action, including but not limited to suspension, dismissal, reduction in pay, demotion, or reassignment, at the discretion of the District Right of Way Manager. While the employee is in a trainee or probationary status, he/she is not in a career service protected position. These actions are exempt from the provisions of ***Section 110.227 and Chapter 120, F.S.*** (***Section 13.1.13.3***)

THIS IS TO ACKNOWLEDGE RECEIPT OF ***RIGHT OF WAY MANUAL, SECTION 13.1***, AND MY UNDERSTANDING OF ITS CONTENTS AND I AGREE TO THE PROVISIONS THEREIN:

Signature of Employee

Date

LETTER OF APPOINTMENT - REAL ESTATE, LEVEL III

(Trainee Name and Address)

Dear _____,

Congratulations. You have been appointed to the Florida Department of Transportation Real Estate, Level III Training Program effective _____(date).

Below is a description of the basic elements of the program as found in the **Right of Way Manual, Section 13.1**. The program is subject to change based on statutory requirements the needs of the Department, budget authorization and rate availability.

The terms and conditions of the Right of Way Training Program are set forth in the **Right of Way Manual, Section 13.1**. The trainee will abide by all provisions of **Section 13.1**, and particularly note the following:

- Participation in the Real Estate, Level III Training Program, beginning with the next available cycle, is by appointment of the District Right of Way Manager. (**Section 13.1.2**)
- On the official date when your Training Program cycle begins, you will be placed on Trainee status which shall be retained until graduation from the Training Program. (**Section 13.1.3**)
- Upon your successful completion of the Training Program, you will again be placed on Probationary status pursuant to **Rule 60L-33.003 (1)(c), F.A.C.** for the remainder of time to complete a total of your one-year probationary period. (**Section 13.1.3.3**)
- Upon successful completion of each one-year segment you will receive a 10% salary increase, if such increase is approved pursuant to **Section 216.251 (3), F.S.** (**Section 13.1.14.3**)
- You will receive all employment benefits for State employees. (**Section 13.1.16**)
- If you receive two successive unsatisfactory ratings from your supervisor or failure to pass exams (allowing two attempts paid for by the Department), you will be subject to:

Any personnel action, including but not limited to suspension, dismissal, reduction in pay, demotion, or reassignment, at the discretion of the District Right of Way Manager. While the employee is in a trainee or probationary status, he/she is not in a career service protected position. These actions are exempt from the provisions of **Section 110.227 and Chapter 120, F.S.** (**Section 13.1.13.3**)

THIS IS TO ACKNOWLEDGE RECEIPT OF **RIGHT OF WAY MANUAL, SECTION 13.1**, AND MY UNDERSTANDING OF ITS CONTENTS AND I AGREE TO THE PROVISIONS THEREIN:

Signature of Employee

Date