

(II) IF THE MANAGING OFFICIAL OF A CORRECTIONAL FACILITY OF A COUNTY OR MUNICIPAL CORPORATION IS UNDER INVESTIGATION, THE OFFICIAL AUTHORIZED TO APPOINT THE MANAGING OFFICIAL'S SUCCESSOR SHALL SELECT THE MANAGING OFFICIAL OF ANOTHER CORRECTIONAL FACILITY TO FUNCTION AS THE CORRECTIONAL OFFICER OF THE SAME RANK ON THE HEARING BOARD.

(4) (I) A CORRECTIONAL FACILITY OR THE FACILITY'S SUPERIOR GOVERNMENTAL AUTHORITY THAT HAS RECOGNIZED AND CERTIFIED AN EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE MAY NEGOTIATE WITH THE REPRESENTATIVE AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD.

(II) A CORRECTIONAL OFFICER MAY ELECT THE ALTERNATIVE METHOD OF FORMING A HEARING BOARD IF:

1. THE CORRECTIONAL OFFICER WORKS IN A CORRECTIONAL FACILITY DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. THE CORRECTIONAL OFFICER IS INCLUDED IN THE COLLECTIVE BARGAINING UNIT.

(III) THE INTERNAL INVESTIGATION UNIT SHALL NOTIFY THE CORRECTIONAL OFFICER IN WRITING BEFORE A HEARING BOARD IS FORMED THAT THE CORRECTIONAL OFFICER MAY ELECT AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD IF ONE HAS BEEN NEGOTIATED UNDER THIS PARAGRAPH.

(IV) IF THE CORRECTIONAL OFFICER ELECTS THE ALTERNATIVE METHOD, THAT METHOD SHALL BE USED TO FORM THE HEARING BOARD.

(V) A CORRECTIONAL FACILITY OR EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE MAY NOT REQUIRE A CORRECTIONAL OFFICER TO ELECT AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD.

(VI) IF THE CORRECTIONAL OFFICER HAS BEEN OFFERED SUMMARY PUNISHMENT, AN ALTERNATIVE METHOD OF FORMING A HEARING BOARD MAY NOT BE USED.