

Promotions

Index Code: 707

Effective Date: 07/15/07 (Revised 4/6/2022)

I. Purpose

The purpose of this directive is to establish a promotional process for sworn personnel within the Office of the Sheriff, and to describe the procedures used for each element of the promotional process.

II. Policy

Promotion denotes vertical movement in an organizational hierarchy from one rank classification or position to another, usually accompanied by increases in duties and responsibilities as well as salary. The evaluation and selection of personnel for promotion begin with the identification of employees who appear to have the potential for assuming greater responsibility, and who possess the skill, knowledge, and abilities required to perform at that level.

It is the policy of the Office of the Sheriff that promotions are carried out in a fair, equitable, and nondiscriminatory manner, and that all procedures used in the promotional process are job related to ensure the selection of the most qualified candidate(s), thereby maintaining the highest possible standards of leadership and supervision within the Office of the Sheriff.

III. Legal Authority and Responsibilities

A. The Office of the Sheriff is an Equal Employment Opportunity Employer and abides by all applicable Federal and State laws including the Americans with Disabilities Act. Any deputy with an actual or perceived disability, that may require accommodation during any part of the promotional process, must notify the Chief Deputy in writing upon receipt of the position vacancy announcement. The law requires an employer to provide a reasonable accommodation to an employee, unless doing so would cause significant difficulty, expense or undue hardship.

B. The Sheriff is vested with complete and sole authority for the promotion and appointment of personnel who are eligible for vacant positions, and may supersede any provisions of this directive if it is in

the best interests of the Office of the Sheriff and the citizens of Queen Anne's County. The Sheriff may not promote any employee to a nonexistent or filled position, or to a position not authorized by law.

C. The Chief Deputy, or his/her designee, is responsible for administering the promotional process on behalf of the Sheriff. Specific duties include but are not limited to the following:

1. Distribution of position vacancy announcements to be filled by promotion.
2. Distribution of a Candidate Reading List (study materials) appropriate for the written examination and oral interview.
3. Administering the written examination (if applicable).
4. Coordinating procedures with the selected oral interview board.
5. Distribution of the final promotional examination results.
6. Coordinating and preparing administrative documents relating to the promotion of personnel.
7. Coordinating promotions with the Department of Human Resources for Queen Anne's County.
8. Maintaining a safe and secure environment for all promotional materials utilized throughout the process, as well as all written examination and oral interview results.

IV. Eligibility Requirements

The eligibility requirement for promotion to the rank of First Sergeant or below is a minimum of two years in grade, excluding any time as a newly hired probationary employee. The eligibility requirement for promotion to the rank of Lieutenant is a minimum of one year in grade as a First Sergeant.

In addition, candidates must not be on probation for disciplinary reasons and must have received a minimum of a satisfactory rating on their most recent Performance Evaluation.

V. Testing Procedures

A. Corporal through and including First Sergeant

Promotional tests (selection instruments) used by the Office of the Sheriff for the positions of Corporal through and including First Sergeant will include a written examination and oral interview. The written examination may be designed in-house or purchased from a company specializing in written promotional examinations for law enforcement officers and administered by the Chief Deputy or his/her designee. All sworn employees, who have completed their field training, holding the rank of deputy through and including Sergeant may take the written examination and will be entered on the eligibility list in the order of the combined results (written, interview, annual performance evaluations and oral interview if they participated in the oral interview process). The date that they are or will be eligible for promotion will be noted next to their names.

1. The written examination will account for fifty percent (50%) of the total score. A minimum score of seventy percent (70%) must be achieved in order to qualify for the oral interview. The minimum score may be lowered by the Sheriff or Chief Deputy for the test takers for any specific rank on any given date if the total number of passing scores for that rank does not meet the estimated business needs for that rank. Individual questions and their answers may be challenged on the day of the test. If the challenge is sustained, all test takers will be given credit for that question.

2. The oral interview will account for twenty-five percent (25%) of the total score. An oral interview board, consisting of three persons selected by the Chief Deputy or his/her designee, will conduct the interviews. The oral interview will consist of selected questions concerning policy, motor vehicle law and/or criminal law and may be scenario based in nature.

3. The two most recent annual performance evaluations will account for twenty-five percent (25%) of the total score.

VI. System of Ranking Eligible Employees

Upon completion of the promotional process, eligible employees will be ranked on an eligibility list in the descending order of their relative merit as determined by the appropriate method(s) of examination. The eligibility list will remain in effect for two years after said list is established.

In the event of a tie score between employees of the same rank (following the standard rounding of scores to one decimal point and attempting to break the tie with an expansion to two or three decimal points), the candidate with the longest seniority in that rank shall be afforded the eligibility ranking advantage. If those tied employees have equal time in their rank, the overall length of service with the agency shall determine the eligibility ranking advantage.

VII. System for Selecting Names from Eligibility List

The Sheriff will be the appointing authority for all employees being promoted. Promotions to positions in the Office of the Sheriff will be from the names certified as eligible as established on the eligibility list. The Sheriff is permitted to promote any of the three candidates whose names appear on the top of the eligibility list for each vacant position, taking into consideration the candidate's education along with past experience and performance in order to promote those who, in the Sheriff's/Chief Deputy's opinion, are the most qualified for the existing position.

VIII. Promotion to the Rank of Lieutenant

Any eligible First Sergeant may request promotion to the rank of Lieutenant with a formal letter to the Sheriff through his/her chain of command accompanied by an all-inclusive resume, detailing career accomplishments including date of last promotion, fields of expertise, education, awards and goals. Other categories may be added by the candidate. The resume shall be no longer than three pages with a font size of 12 points and normal margins.

The Sheriff shall solely, or with the assistance of a committee that he/she convenes, review all eligible candidate letters and resumes. The Sheriff shall have the sole authority to determine the most qualified of the candidates and thus who, if any, should be promoted to the position of Lieutenant. The Sheriff reserves the right to hire a Maryland certified police employee or retiree from another agency to fill a Lieutenant's position per section IX.

Following the promotional process, the Chief Deputy shall retain all letters of intent and resumes from First Sergeants in a secure file.

The rank of Lieutenant shall be a Professional Employee (P.E.) position. The pay percentage increase for promotion to Lieutenant shall be a higher percentage than the percentage established for promotions to Corporal through First Sergeant. Employees promoted to the rank of Lieutenant are not eligible for overtime, shift differential pay and/or comp time accrual. Employees who promote internally to Lieutenant who do not perform at the desired level of a Lieutenant shall revert to their previous rank and their pay will be decreased to their previous salary plus any pay for performance or COLAs that may have occurred since their promotion to Lieutenant. There must exist "good reason" for reverting

IX. At-Will Employee

The Sheriff reserves the right to hire a Maryland certified police employee or retiree from another agency to fill a Lieutenant, Captain, Major or Chief Deputy position as an "At-Will-Employee". An At-Will-Employee may be demoted, promoted or released from employment at the Sheriff's discretion with good reason.

Captain and Major ranks are "at-will" positions regardless of whether the employee was chosen from within the Office of the Sheriff or from outside the Office of the Sheriff.

X. Probationary Period

Unless otherwise directed by law, each individual promoted will be on promotional probation until the newly promoted individual satisfactorily completes a probationary period of one year. An employee demoted during the probationary period will be considered permanently demoted from the position without the privilege of appeal. At the request of the promotional probation employee's immediate supervisor, the promotional probation period may be extended for an additional six month period.

All newly promoted employees will be closely monitored during their probationary period in their new position to ensure that they successfully make the transition to a position of higher rank and responsibility. Employees whose performance in the new position is determined to be substandard or unacceptable during the probationary period will receive counseling and training to the extent counseling and training are reasonably expected to correct or improve the employee's job performance. Primary responsibility for counseling rests with the employee's immediate supervisor who may request technical assistance from other

identifiable sources as appropriate to the specific problem.

Performance deficiencies of newly promoted employees that continue to exist at the time of the employee's first regularly scheduled annual performance evaluation following promotion will be fully documented in the evaluation, and remedial action will be initiated according to the terms of the Personnel Performance & Evaluation process. If, at the conclusion of the probationary period (including any extended probationary period if applicable), the employee's performance is considered substandard or unacceptable, the newly promoted employee may be reduced in rank or demoted to his or her previous position at the discretion of the Sheriff or his designee.

Newly promoted Corporals must attend and pass within one year of promotion or have previously attended and passed an MPCTC approved First Line Supervisor's class.

Newly promoted First Sergeants must attend and pass within one year of promotion or have previously attended and passed an MPCTC approved First Line Administrator's school.

XI. Notice of Promotion

The Chief Deputy will notify in writing every employee whom the Sheriff/Chief Deputy intends to promote, stating the employee's new rank, duty assignment (when known) and the effective date of the promotion. In addition, the Chief Deputy or his designee will notify the Department of Human Resources for Queen Anne's County.

XII. Review and Appeal

Candidates are allowed to review and appeal all scores and evaluations related to their performance in the promotional process to ensure fairness and impartiality. The administrative review and appeal process may be conducted by individuals from within or outside the Office of the Sheriff at the discretion of the Sheriff or Chief Deputy.

Any employee who wishes to submit an appeal must do so to the Chief Deputy within thirty (30) days from the completion of the promotional process. The appeal must be in writing stating specific facts for the appeal.

XIII. Reapplication

Any candidate who does not get promoted from any given established eligibility list may participate in any of the following promotional testing cycles, as long as they meet the eligibility requirements at the time of reapplication.

XIV. CALEA References: 34.1.3a, 34.1.3b, 34.1.3c, 34.1.3d, 34.1.3e, 34.1.3f, 34.1.3g, 34.1.3h & 34.1.7

XV. Proponent Unit: Sheriff

XIV: Cancellation: This directive cancels Index Code 707 dated 5/3/2021).

Sheriff Gary Hofmann