



# PROMOTION

**INDEX CODE: 700.2**

**EFFECTIVE DATE: 02-03-23**

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## Contents:

- I. Purpose
- II. Equal Employment Opportunity
- III. Legal Authority & Responsibilities
- IV. *Procedures relating to promotions under the Anne Arundel County Charter, Anne Arundel County Code, and the Memorandum of Agreement between Anne Arundel County and the Fraternal Order of Police #70*
- V. *Testing Procedures &* Written Announcements
- VI. Written Promotion Notice
- VII. Probationary Evaluations *of* Newly Promoted Employees
- VIII.** Review & Appeal *of Promotional decisions*
- IX. Proponent Unit
- X. Cancellation

## **I. PURPOSE**

The purpose of this directive is to inform employees of the current policies, procedures and practices involved in the promotion process. In addition, this directive serves to define a mechanism by which the Anne Arundel County Office of Personnel and the Police Department (in which the vacancy is housed) can perform the following functions:

- A. Implement and maintain a merit promotional system which ensures the selection of the most qualified candidate(s), thereby maintaining the highest possible standards of leadership and supervision within the Police Department.
- B. Provide a standardized system of procedures, which facilitate the planning and implementation of each stage of the promotional process.

## **II. EQUAL EMPLOYMENT OPPORTUNITY**

Anne Arundel County is an Equal Employment Opportunity employer. It is the policy of the County and the Police Department that all procedures used in promotions are job related and nondiscriminatory.

## **III. LEGAL AUTHORITY & RESPONSIBILITIES**

The Anne Arundel County Charter is the basic legal document of Anne Arundel County. The Anne Arundel County Code is a body of laws enacted by the County Council to implement the requirements of the Charter. Both documents vest the Anne Arundel County Personnel Officer with specific duties, responsibilities and authority in the administration of the promotion process for classified employees, as explained in this section and in section IV of this directive.

### **A. Office of Personnel**

The Anne Arundel County Office of Personnel, administered by the Personnel Officer, maintains primary responsibility for all processes and procedures required to develop, purchase, validate, and/or construct selection instruments. Selection instruments include examinations (written and/or performance), oral interviews (structured panel, assessment centers, evaluations of training and experience, etc.) and related procedures (reviews, appeals, etc.).

*The Office of Personnel is responsible for managing the promotional process. This includes administering written tests, conducting oral interviews, and using these instruments in evaluating the promotion potential of candidates to the ranks of Police Captain, Police Lieutenant, and Police Sergeant. The Anne Arundel County Employee Relations Manual and Memorandum of Agreement between Anne Arundel County and the Fraternal Order of Police Lodge #70 further develops the criteria and procedures for the development of eligibility lists, to include the numerical weight, if any, assigned to each eligibility requirement; the system of ranking eligible employees on the lists; and the duration of eligibility lists. The manual is designed for the internal administration of the promotion process, and no provision of the manual may contradict any provision of the County Charter or Code.*

**B. Police Department**

The responsibilities of the Police Department in the development and administration of the promotion process primarily concern the technical accuracy of the selection procedures. Ranking and knowledgeable departmental personnel may be called upon by the Office of Personnel to serve as Subject Matter Experts (SMEs) in a variety of situations. Police Department personnel may be asked to complete aptitude or performance questionnaires and/or pilot examinations in conjunction with the job analysis and examination development efforts. The resulting data may be correlated with past test scores, promotions, performance appraisals, etc. with the purpose of providing valid, reliable promotional examinations. In addition, Police Department personnel may serve to review potential examination topics and areas to verify content and applicability, and provide other technical and content support to the examination development process.

The Chief of Police is vested with complete and sole authority for the promotion of all department personnel who are certified by the Office of Personnel as being eligible for promotion to vacant positions in the Police Department. The Chief may not promote any employee whose name is not certified by the Office of Personnel as being eligible for promotion to the intended position. The Chief may not promote any employee to a nonexistent or filled position, or to a position not previously authorized by law.

The manager of the Police Personnel Section is vested with the authority and responsibility for administering the department's role in the promotion process. Specific duties include but are not limited to:

1. Distribution of position vacancy announcements to positions to be filled by promotion;
2. Posting results of promotion examinations;
3. Coordinating and preparing administrative documents relating to the promotion of individuals by the Chief;
4. Coordinating the transmission of *certification* lists between the Office of Personnel and the Police Chief.

**IV. PROCEDURES RELATING TO PROMOTIONS UNDER THE ANNE ARUNDEL COUNTY CHARTER, ANNE AURNDEL COUNTY CODE, AND THE MEMORANDUM OF AGREEMENT BETWEEN ANNE ARUNDEL COUNTY AND THE FRATERNAL ORDER OF POLICE LODGE #70**

The Anne Arundel County Charter, and Article 6 of the Anne Arundel County Code, describes the following procedures relating to promotions:

**A. Written Certification of Eligible Employees**

1. "The Personnel Officer shall prepare eligibility lists for vacancies in the classified service." (Charter, Section 805)
2. *For promotions to the rank of Sergeant and Lieutenant, the Personnel Officer shall certify the names of the three persons standing highest on the eligibility list to each of the positions to be filled and shall provide those names and scores to the Police Chief and President of the FOP. The President of the FOP will keep names and scores confidential. In the event there are tied scores among those candidates that are eligible for certification, such that the number of eligible candidates exceeds the rule of three, those candidates with tied scores will be certified as well. In determining the ranking on the eligibility list, examination scores shall be*

*rounded to the next nearest tenth of a point. If there are two or more vacant positions to be filled from the same eligibility list, the Personnel Officer shall certify a number of names equal to the number of vacancies plus two. (Promotional process to Sergeant and Lieutenant only).*

**B. System of Ranking Eligible Employees on Eligibility Lists for the Promotional Process to Sergeant and Lieutenant**

"Eligibility lists shall be prepared by the Personnel Officer upon written notice by the Chief of Police prior to the expiration date of the established list. Eligibility lists shall be based on such written, performance, oral and/or other examinations as determined by the Personnel Officer. Candidates must be ranked on the eligibility list according to the descending order of their relative merit as determined by appropriate methods of examination. *In determining the ranking on the eligibility list, examination scores shall be rounded to the next nearest tenth of a point score. (Memorandum of Agreement between Anne Arundel County and Fraternal Order of Police Lodge #70, Section 18.4(a))*

**C. System of Ranking Eligible Employees on Eligibility Lists for the Promotional Process to the Rank of Captain**

*The rankings on an eligibility list for promotions to the rank of Captain will be:*

1. *Based on composite scoring of the final exam components as determined by the Personnel Officer and grouped according to point distributions or as otherwise defined by a collective bargaining unit.*
2. *Category groupings are based on three point spreads and identified as follows:*

<i>Score</i>	<i>Band rank</i>
<i>97 - 100</i>	<i>I</i>
<i>94 - 96.99</i>	<i>II</i>
<i>91 - 93.99</i>	<i>III</i>
<i>88 - 90.99</i>	<i>IV</i>
<i>85 - 87.99</i>	<i>V</i>
<i>82 - 84.99</i>	<i>VI</i>
<i>79 - 81.99</i>	<i>VII</i>
<i>76 - 78.99</i>	<i>VIII</i>
<i>73 - 75.99</i>	<i>IX</i>
<i>70 - 72.99</i>	<i>X</i>
<i>67 - 69.99</i>	<i>XI</i>
<i>64 - 66.99</i>	<i>XII</i>
<i>61 - 63.99</i>	<i>XIII</i>
<i>58 - 60.99</i>	<i>XIV</i>
<i>55 - 57.99</i>	<i>XV</i>
<i>52 - 54.99</i>	<i>XVI</i>
<i>49 - 51.99</i>	<i>XVII</i>
<i>46 - 48.99</i>	<i>XVIII</i>
<i>43 - 45.99</i>	<i>XIX</i>
<i>40 - 42.99</i>	<i>XX</i>

3. *The number of names in each category on an eligibility list will be considered tied for the purposes of certification.*

**D. Duration of Eligibility Lists**

For promotion to the rank of police Sergeant *and Lieutenant*, eligibility lists shall be considered as expired and without effect two years after the list is signed by the Personnel Officer, unless terminated by the Personnel Officer. If an eligibility list is terminated earlier than two years after being signed, all persons on the eligibility list shall be notified by first class mail or e-mail of the termination. [*Memorandum of Agreement between Anne Arundel County and Fraternal Order of Police Lodge #70*, Section 18.4(c)]

For promotion to the rank of police Captain, the Personnel Officer may remove persons from an eligibility list for good cause, shall determine how long an eligibility list remains in effect, and shall certify from an eligibility list the names of those persons who appear to be the most qualified for the position. [County Code, Article 6, Section 1-106(a)(2)].

**E. System for Selecting Names from the Lists**

"The head of each department or office shall be the appointing authority for all employees in his department or office. Appointments to positions in the classified service shall be from among the names certified as eligible by the Personnel Officer for the position(s) to be filled." (Charter, Sec. 804).

The Anne Arundel County Employee Relations Manual, Section B-02 [E(1)], states The Appointing Authority may make an offer of employment to any candidate on the certification list (or supplemental certification) regardless of the candidate's relative position on that list.

**F. Eligibility Requirements**

Section 6-1-201 of the Anne Arundel County Code establishes the minimum qualifications, including time-in-grade and/or time-in-rank eligibility requirements for every position in the classified service of the County government, including those where lateral entry is permitted.

**G. Probationary Period**

*The Anne Arundel County Charter defines a probationary employee as follows:* "...each employee in the classified service is a *probationary* employee until the employee satisfactorily completes a probationary period of six months. At the request of the appointing authority, the Personnel Officer may extend a probationary period for one additional six-month period. *Entry-level full-time classified sworn employees of the Police Department..., must satisfactorily complete a probationary period equal to the time required to successfully complete the Department's entry-level training program plus twelve months.* An employee dismissed during the probationary period is considered permanently dismissed without the privilege of appeal." (Charter, Sec. 806)

*Anne Arundel County Code defines the probationary period as follows:* "Unless otherwise required by law, each individual in the classified service shall be a probationary employee until the individual satisfactorily completes a probationary period of six months. The appointing authority shall submit to the Personnel Officer notice of the appointing authority's decision to retain or dismiss the employee. An employee dismissed during the probationary period shall be considered permanently separated from the position without the privilege of appeal. At the request of the appointing authority, the Personnel Officer may extend the probationary period for one additional six-month period." (County Code, Section 6-1-107)

See Section VIII of this directive for probationary evaluation of newly promoted employees.

**V. TESTING PROCEDURES & WRITTEN ANNOUNCEMENTS**

**A. Testing Procedures**

*The testing process utilizes an Assessment Center.* The combined result of the testing process is a promotional potential rating for each candidate, which is used to rank candidates on the eligibility list. Any deviations from or additions to this general policy may be authorized only by the Personnel Officer, and will appear in the written announcement of the promotional opportunity.

**B. Written Announcements**

The County Office of Personnel provides employees with *electronic position* announcements of the promotional opportunities and processes, which include, at a minimum:

1. A description of the positions or job classifications for which vacancies exist;
2. A schedule of dates, times, and locations of all elements of the process;
3. A description of eligibility requirements, including time-in-grade and/or time-in-rank eligibility requirements, if any;
4. The numerical weight, if any, assigned to each eligibility requirement.

The selection process to be used in selecting personnel for vacancies will be described in the *position* announcement if it differs from the selection process mandated by law for all classified positions, as described in section III.B of this directive. Otherwise, it is assumed that the selection process will be pursuant to the Charter and any applicable provisions of the County Code.

## **VI. WRITTEN PROMOTION NOTICE**

### **A. Department Policy**

It is the policy of the Police Department that the Chief of Police will promote from the eligibility list the candidate(s) who are, in the Chief's opinion, most qualified for the vacant position(s). In the absence of any written notification to the contrary, this policy shall be considered the written explanation of the reason or reasons for appointing eligible employees to vacancies.

### **B. Promotion Notice**

The Chief of Police will notify in writing every employee whom he or she intends to promote, stating the employee's new rank, duty assignment (when known), and the effective date of the promotion. In addition, the Chief will instruct the manager of the Police Personnel Section to issue a personnel order to record the promotion and publicize it throughout the department. The manager of the Police Personnel Section will also notify the Personnel Officer of the name of each employee so promoted, in the form and manner specified by the Personnel Officer.

## **VII. PROBATIONARY EVALUATIONS OF NEWLY PROMOTED EMPLOYEES**

### **A. Policy & Procedures**

It is the policy of the Police Department that all newly promoted employees will be closely monitored during their first year in the new position to ensure that they successfully make the transition to a position of higher rank and responsibility. To achieve this goal, the department provides an advisory evaluation to each newly promoted employee after six months have elapsed since the date of the employee's promotion. See Index Code 707 for details.

Employees whose performance in the new position is determined to be substandard or unacceptable during the one-year period leading up to the employee's annual formal performance evaluation 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 the Training Academy or 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 that evaluation, and remedial action will be initiated according to the terms of the PP&E process.

If, at the conclusion of the one-year performance evaluation and the ninety-day follow-up evaluation for employees whose job performance is rated as unacceptable, the newly-promoted employee still is not performing in a satisfactory manner, the employee may be reduced in rank or demoted to his or her previous position, at the discretion of the Chief of Police and subject to the requirements of the County Charter, County Code, and current personnel policies of the County government.

### **B. Exceptions to Probation Periods**

Any authorized exceptions to probation periods appear in Article **6** of the County Code, and in applicable labor agreements. "At the request of the appointing authority, the probationary period may be extended one additional six-month period by the Personnel Officer." (County Code, Article 6, Section 1-107)

**VIII. REVIEW & APPEAL OF PROMOTION DECISIONS**

**A. Reviews**

Candidates for any written examination are afforded the opportunity to review their answer sheet; to verify the calculation of their written examination score; and to formally appeal any item on the examination. Candidates shall be informed in their invitation to an oral interview (if any) of the scoring dimensions, with brief definitions. The results letters for oral interviews shall include the averaged subscores for each scoring dimension.

**B. Appeals**

An employee may file a grievance on matters relating the employee's involvement in the promotion process, according to the procedures stipulated in his or her bargaining unit's current labor agreement with Anne Arundel County, or in accordance with the procedures outlined in the Employee Relations Manual, Section F-02 as applicable.

**IX. PROPONENT UNIT:** Personnel Section.

**X. CANCELLATION:** This directive cancels Index Code 700.2, dated **11-21-17**.