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THE AUTHORITY OF THE CHIEF OF POLICE: 			

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12.1 PERSONNEL SERVICES

It is the purpose and intent of this directive to provide formal guidelines with which to ensure equal opportunity for all applicants and employees of the Police Department.

It is the policy of the Police Department to recruit and to hire employees without regard to age, sex, race, religion, color, disability, national origin, veteran status, political affiliation, or any other characteristic protected by federal, state, and local laws. Further, it is the policy of the Police Department to treat all persons equally with respect to all employment practices, including screening, recruitment, selection, appointment, promotion, demotion, assignment, advertising, hiring, leave practices, rates of pay, fringe benefits and other forms of pay or credit for services rendered.

12.2 HIRING, PROMOTING, & DISMISSING (CALEA 34.1.1; 34.1.2)

The Chief of Police will make all final decisions with reference to the hiring, promoting and dismissing of all Department employees. The Chief of Police will determine requirements for the hiring, promoting and dismissing of employees, and will review/revise/conform such requirements as necessary with applicable laws concerning the same.

12.3 NEPOTISM

The purpose of this policy is to provide guidelines to prevent problems of supervision, safety, security and morale. This guideline applies to all City employees.

Applications for employment from immediate family members of existing City employees will be considered with other qualified applications when personnel vacancies occur. Some restrictions in job placement will apply, however, to prevent problems of supervision, safety, security and morale.

For the purposes of this policy, an immediate family member includes: spouse, parent, child, grandparent, grandchild, and sibling, as well as in-laws and steps of those family members. Additionally, unrelated employees residing together or otherwise engaged in an apparently romantic relationship (such as domestic partner, co-habitant, or significant other) are treated as being within the immediate family of each other for the purposes of this policy.

Immediate family members will not be hired by the City without the prior approval of the Director of Human Resources and Organizational Development. If hired, immediate family members will not be hired into a department where they directly or indirectly supervise or are supervised by another family member. Additionally, immediate family members will not be placed in positions where they work with or have access to sensitive or confidential information regarding other immediate family members, or where there is an actual or apparent conflict of interest determined at the sole discretion of the City.

If employees become immediate family members after employment and a conflict of interest or a management problem of supervision, safety, security or morale result, (determined at the sole discretion of the City) or if reorganization creates such a conflict, reasonable time may be provided to resolve the matter. If resolution is not possible, the City may require one or both of those employees to transfer or resign.

12.4 PERSONNEL SELECTION & SALARY (CALEA 22.1.1 a, 32.1.1)

Although the City of Charleston has an HR Department, the Police Department retains specific prerogatives concerning personnel selection. The purpose is to allow the Police Department to obtain qualified candidates for its positions. The Chief of Police retains the responsibility to identify the specific needs of the Police Department, determine the skills and the personal attributes required for positions, and then select personnel based upon these qualities. All processes for selection will be administered by the Office of the Chief of Police. That specific process of selection will include, if applicable to the position: physical examination, physical agility test, written examination, polygraph examination, psychological examination

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and background investigation. The Office of the Chief of Police maintains the responsibility for the administration of the selection process.

The Charleston Police Department will select personnel for professional staff positions based on the City of Charleston's Policy. The selection process for the position will be based on the elements and activities of the position as delineated in the job description, and the related tasks of the job. The Department's General Orders are not designed to override or contradict any City of Charleston Policy on professional staff selections.

Salary for each sworn officer entry-level position will follow the Charleston Police Department's current minimum published annual pay scale rate for a Probationary Police Officer. The Chief of Police, at his/her discretion, may compensate a new hire employee above the minimum published annual pay scale if the applicant possesses specialized education, training or skills.

Professional staff employees will follow the City of Charleston's pay matrix.

12.5 SPECIAL SKILLS SALARY (CALEA 21.1.1 d)

The only non-entry level special skills that this Department provides monetary benefits for is the position of Patrol Training Officer (PTO). All other skills and education are provided recognition through the Career Enhancement Program (*General Order #19*).

12.6 SWORN EMPLOYEE EDUCATIONAL SALARY AUGMENTATION (CALEA 22.1.1g)

When any sworn employee obtains an accredited Associate's, Bachelor's, Master's, or Doctorate degree, and that degree is higher than his/her current level of education, the individual may apply for a salary augmentation with the Charleston Police Department's Personnel unit. The amount of the salary augmentation for each level of education will be published annually on the Charleston Police Department's Pay Scale. The augmentation will continue as long as the individual is a sworn employee and also falls within the sworn officer pay scale. This policy will not supersede City of Charleston Human Resource and Personnel policy and procedure.

12.7 LATERAL ENTRY (CALEA 22.1.1 a; 32.1.1; 34.1.3)

The Department actively recruits personnel for specialized positions when such personnel are not available and/or acceptable for promotion within the ranks of this department. Lateral entry of these personnel is permitted and will be determined by the Chief of Police.

Lateral entry is a personnel practice which may permit an employee from one agency to be hired by another agency and be exempted from all or part of the employing agency's selection process; if the employee meets the minimum qualifications of the new employing agency, he/she is not necessarily subjected to the total selection process.

The number of primary pay steps in each rank's pay scale varies, and the lateral entry candidate may be hired and placed into any step by the Chief of Police. The Chief will base this decision upon the candidate's experience.

Officers are encouraged to seek candidates from other agencies to apply for skilled positions. These candidates will apply using the City's application site and will go through the same hiring process as a non-lateral personnel. These candidates may be required to participate in specified selection processes related to the job intended to obtain.

12.8 EMPLOYMENT PHYSICALS (CALEA 22.3.1)

All sworn employees are required to satisfactorily complete an annual physical examination by the designated contractor for the City of Charleston. These physical examinations will be performed at no cost to the employee.

All employees are required to maintain satisfactory physical condition. The Chief of Police will review physical fitness reports from the City medical contractor (doctor) and determine the employee's suitability for employment with the

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Charleston Police Department in his/her present assignment. The City doctor will report the employee's health condition and suitability for work to the Chief of Police. Items such as blood pressure, flexibility, height and weight proportion, eyesight, and hearing, as well as other medical conditions deemed appropriate by the doctor will be used to make this evaluation. The Chief may order a special physical evaluation of an employee if he/she feels it is in the best interest of the City of Charleston and the employee to do so.

12.9 PHYSICAL FITNESS (CALEA 22.3.3)

Officers will keep themselves as physically fit as their age and the nature of police duty requires. The Chief of Police may order any officer to submit to a physical examination and/or agility test whenever circumstances arise that the Chief feels should require such examination.

Additionally, the Charleston Police Department will follow and allow for employee participation in City of Charleston health and fitness evaluations, programs, events, activities, and support. Participating in health and fitness events are voluntary and employees should be encouraged by their supervisors to participate in order to maintain a healthy lifestyle that will be beneficial to both the employee and the City of Charleston. As it pertains to sworn employees, officers will be allowed participation at every opportunity that is within staffing levels and operational requirements.

Any employees with specific questions about health and wellness programs, or desires to enroll in a health screening, fitness assessment or wellness programs will be directed to the City of Charleston's Wellness Team Leader. It is the responsibility of the City of Charleston's Wellness Team Leader to actively supply and advertise programs that will offer employees individual wellness education that, at a minimum, will include goal setting, on-going programs that promote completion of wellness objectives, and evaluation of his/her progress and future health.

Departmental employees are authorized and encouraged to utilize the fitness center located on the second (2nd) floor of the Police Headquarters at 180 Lockwood Blvd or at the CPD Warehouse. Before individuals are allowed to use the fitness room and its equipment, they must understand and sign the fitness room rules and regulations waiver that can be obtained from the Personnel Unit.

12.10 EMPLOYEE ASSISTANCE (CALEA 22.2.1)

The Police Department Personnel Office under the direction of the City Human Resources Director, will assist employees of the Police Department with personnel services that will include policies and procedures concerning:

1. Equal Opportunity Employment;
2. Salary administration;
3. Sick leave;
4. Annual leave;
5. Overtime pay;
6. Fringe benefits;
7. Hospitalization;
8. Life insurance;
9. Retirement;
10. Disability compensation;
11. Military leave;
12. Jury leave;

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13. Funeral/Bereavement leave;
14. Leave of absence without pay;
15. Educational leave;
16. Holidays;
17. Employee Assistance Program (EAP); and
18. Family Medical Leave Act.

12.11 OVERTIME/COMPENSATORY TIME (CALEA 22.1.1 e, f)

Overtime and compensatory time must be approved by a supervisor prior to being earned, except in extreme emergencies. Overtime for which compensation time will be given must be taken within the current pay period. Compensatory time will accrue at the same rate that the employee would earn overtime pay in an eighty (80) hour pay schedule: Time and a half begins after hour (6) of the (80) hour pay schedule, All compensatory time given will follow the City of Charleston's policy as stated in the employee handbook. (City of Charleston, Employee Handbook, April 2, 2021)

12.12 REPORTING FOR PAYROLL INPUT (CALEA 22.1.1)

All time worked will be reported using the City's electronic timekeeping system. Hours worked should be recorded to the appropriate program or event when applicable.

12.13 ADMINISTRATIVE LEAVE WITH OR WITHOUT PAY (CALEA 22.2.1 a)

The Chief of Police at his/her discretion may grant administrative leave with or without pay for employees who are eligible for such leave. This will be coordinated through the City of Charleston Human Resources Department.

12.14 HOLIDAY CREDIT TIME (CALEA 22.2.1 b)

Non-Exempt Officers, Rotating Professional Staff and Command Duty Officer Coverage positions are compensated for Holidays. This will only apply for the day the holiday is observed. If a Non-Exempt Officer/Rotating Professional staff employee physically works on a designated holiday, he/she will be:

1. Compensated for the hours worked and;
2. Compensated for the paid City Holiday.

Non-Exempt Officers/Rotating Professional staff employees may take Holiday Compensation as either a payment in their paycheck or in Annual Leave hours. The default will be a payment in their paycheck. If a Non-Exempt Officer/Rotating Professional staff employee wishes to have the hours placed in their annual leave bank, he/she must write "Holiday Accrued" on the time sheet that has the holiday. Once a payroll is processed, there is no changing or crediting the holiday compensation method. If an employee is scheduled to work and he/she calls out sick, or takes annual leave, he/she is compensated from his/her available/appropriate leave banks. This is the case regardless of paid holidays.

12.15 AGENCY LEAVE PROGRAM (CALEA 22.1.2 c, d)

All employees utilizing leave will do so in accordance with the City of Charleston Employee Handbook regulations. Refer to the Employee Handbook for specifications.

Annual Leave

The Department offers an annual leave benefit to allow employees scheduled rest away from work with pay. Commanders/Directors will be responsible for ensuring that staffing for their respective unit is not impeded by the vacation leave that they approve. In addition, supervisors approving leave will ensure personnel have the appropriate leave balance prior to approving leave. Employees should not be allowed to take leave which goes above their current existing leave

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balance, unless prior approval is received via the chain of command, in consultation with City HR.

Sick Leave

The Department recognizes that employees and their immediate family members sometimes become ill. Thus, the Department offers a sick leave benefit that provides paid time away from work during illness and recovery. Sick leave may not be used until it has accrued.

Sick leave may be used for personal or an immediate family member's (spouse, child, or parent) illnesses, medical appointments and similar purposes, provided the employee's presence is required. Unless Department policy dictates otherwise, in the event an employee cannot attend work due to illness, injury or emergency, he/she must notify his/her supervisor as soon as possible, and, except under extreme circumstances, within one (1) hour prior to his/her scheduled start time.

Unless an employee is on an approved and excused leave of absence, he/she will inform his/her supervisor daily if the absence exceeds one (1) day. The supervisor may, at any time, request a doctor's statement before excusing the absence. All accrued leave usage must be requested by the employee and approved by the employee's supervisor. Excessive absences can result in disciplinary action up to, and including termination.

Funeral and Bereavement Leave

The City allows an employee to be absent from work his/her normal pay for up to three (3) consecutive days due to a death in his/her immediate family. For the purposes of this policy, immediate family member includes: spouse, parent, child, grandparent, grandchild and sibling, as well as in-laws and steps of those family members. Funeral Leave must be approved as soon as possible, preferably in advance, on the Request for Leave form. Supervisors may require proof of death before funeral leave is approved. Additional time in the form of annual leave may be taken if available and approved by the employee's supervisor.

12.16 FAMILY AND MEDICAL LEAVE ACT (FMLA) (CALEA 22.1.2 e)

The agency recognizes that situations may occur that require employees to apply for the use of the FMLA during their employment with the City of Charleston. Thus, the Department utilizes and aligns its employee's use of the Family and Medical Leave Act (FMLA) with the City of Charleston's policy and procedures as outlined in the City Employee Handbook. Due to the nature of the Department's involvement in law enforcement and the logistics that these duties entail, it necessitates that additional requirements be issued to protect the agency and its employees during the application of the Family and Medical Leave Act.

In accordance with the use of Sick Leave, once an employee submits and receives an approved FMLA request, the individual will be required to cease certain law enforcement activities until a Medical Certificate of Ability to Work is received, clearing the employee of any work-related restrictions.

All employees that are issued a Departmental vehicle will be required to return the motor vehicle to the assigned Departmental lot or warehouse and submit the vehicle keys to their Unit's direct Command Staff member. Furthermore, employees are not authorized to operate any Departmental vehicle during their time on FMLA.

Additionally, when applying FMLA to paid off-duty positions, employees are not authorized to gain any off-duty law enforcement employment during the use of FMLA. At the discretion of the City of Charleston, the City may grant, under hardship circumstances, the right for an employee to work a light duty, non-sworn assignment in lieu of FMLA. These incidents will be handled on a case-by-case basis. This is strictly dependent on the will and needs of the City at the time of

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application, and the City of Charleston is not required to approve any requests for light-duty in lieu of FMLA.

When applying for FMLA, the following steps will occur in the order outlined below to ensure appropriate notification and planning can take place within the organization. While the Department does not wish to know the details of the request, it is imperative that it receives as much notice as possible that the leave will occur. Therefore, no FMLA request will be received and processed by Human Resources without the signed leave slip from the Department being attached.

1. Complete the request for FMLA leave within the City's electronic time keeping system.
2. The FMLA request via the third-party vendor must be completed.
3. The signed leave slip must be provided to Human Resources.

12.17 LIGHT DUTY ASSIGNMENTS

Employees may, if approved, work in a light duty capacity. Light duty may be required for work related or non work-related injuries. Per City of Charleston policy, the maximum time approved for light-duty work is six (6) weeks. However, sworn employees may request a ninety (90) day light duty assignment extension from the Chief of Police. One additional ninety (90) day extension may be requested and will be determined by both the Chief of Police and the Human Resources Director. No employee will be permitted to work in excess of two hundred and fifteen (215) days in a light duty assignment. Employees assigned to work light duty must have completed a "Medical Certificate of Ability to Work" form indicating the work-related restrictions. The sworn employees will be assigned to administrative duties approved by the Chief of Police, or his designee, depending upon the needs of the Department. While a sworn employee is in a light duty work status, he/she is not eligible to work Off-Duty assignments. Professional staff may be granted light duty assignments if an assignment exists. Light duty assignments will not be created to accommodate an employee.

Working in a light duty assignment will end an approved FMLA occurrence. However, if the employee needs to leave a shift early for injury related reasons, such as to attend physical therapy appointments; the time not worked will be counted toward the approved FMLA related occurrence.

12.18 EMPLOYEE ASSISTANCE PROGRAM (CALEA 22.2.6)

The City of Charleston makes available to employees an Employee Assistance Program (EAP) designed to assist in the identification and resolution of concerns or problems (personal or job related), which may adversely affect an employee's personal or professional well-being, or job performance. These personal concerns may include, but are not limited to, health, marital status, family, financial, substance abuse, emotional/stress and other personal matters.

This program is also designed to assist the employees of the Police Department and their families in time of personal and professional crisis. It is set up to prevent and, when necessary, treat the personal and family concerns that are caused by or cause stress on the job. The intent of the program is to help with accurate and up-to-date records, referral information that is readily accessible, and to have contact persons in times of reorganization due to natural disasters, everyday personnel problems or emergency situations that arise from the type of stress that police work and working in a public service job creates. It will be the framework for reorganization of Departmental functions during and after a natural disaster, and assistance to the families of employees that cannot be home.

The Employee Assistance Program is intended to assist employees who are suffering from persistent problems that may tend to jeopardize the employee's psychological and/or physical well-being. The goal of this program is to help individuals who have developed problems by providing services for consultation, treatment and rehabilitation in order to prevent their condition from progressing to a degree that will prevent the employee from functioning effectively in the

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workplace.

An employee's referral may either be voluntary, in which the employee elects to participate in the program, or it may be a supervisory referral, in which a supervisor uses City of Charleston guidelines to refer an employee into the program. The employee should be given the right to discontinue participation at any time. Appropriate measures will be taken to ensure confidentiality of records for employees admitted to the program, according to established City directives, personnel guidelines, and state and federal regulations.

Employees of the City of Charleston and their family members are eligible to utilize the EAP. The EAP provides counseling in both individual and group settings to assist employees or their family members with personal problems that may be affecting the employee's job performance. The EAP can help with personal problems such as drug or alcohol abuse, marital issues, financial problems and many others. Contact with the EAP is held strictly confidential and not reported to the City in any manner whatsoever, except in the case of a supervisory referral as explained.

The City of Charleston reserves the right to require employees through a "supervisory referral" to attend the EAP as a condition of their continued employment. In such cases, the EAP will report the employee's progress to the Department of Human Resources and Organizational Development. If a supervisory-referred employee fails to complete the program, or to comply with the instructions of the EAP counselor, further disciplinary action up to, and including, termination may be taken.

Employees should contact their supervisor or the City of Charleston Department of Human Resources and Organizational Development to be enrolled in the program. This program will ensure that the services are confidential, appropriate and timely. The EAP will provide referrals to services, either workplace or community resources for appropriate diagnosis, treatment and follow-up. The EAP provides written procedures and guidelines for referral to and/or mandatory participation. The Police Department Office of Professional Development and Training will provide training of designated supervisory personnel in the program services, supervisor's role and responsibility, and identification of employee behaviors which would indicate the existence of employee concerns, problems and/or issues that could impact employee job performance. Employees should refer to the City of Charleston Employee Handbook and City policies for further information on the EAP.

In addition to the above, employees, at their request, may be referred to the Police Department staff psychologist for counseling for whatever matter may be relevant to such professional services and/or referred as necessary. This does not include drug abuse counseling. The Police Department will terminate any employee violating drug laws.

Both personnel offices will act to represent the City of Charleston and the Police Department and explain policies and procedures of the above listed items and any others that may be appropriate.

12.19 DISMISSING EMPLOYEES (CALEA 26.1.7)

The Chief of Police may dismiss probationary, temporary, and temporary part-time employees at any time.

Any employee may be dismissed for the following reasons:

1. Misconduct involving a major infraction of Police Department or City Personnel Rules and Regulations (See Basic Rules of Conduct);
2. Refusal to meet generally accepted standards of ethics, honesty, etc.;
3. Leaving work without prior approval of immediate supervisors;
4. Serious neglect of assigned duties;

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5. Any of the reasons enumerated in the General Order governing officer conduct;
6. Abuse of sick leave or other leave.

All fringe benefits are revoked when an employee is terminated; however, in accordance with Federal law, employees have the option to extend their health insurance coverage at their own expense. If employees have five (5) years or more service, they may elect to allow their retirement to remain in the system, or withdraw it, regardless of years of service, as prescribed in the rules and regulations of the South Carolina State Retirement System. The employee will also be compensated for any accrued annual leave in accordance with City Personnel Policy. A statement of the status of fringe and retirement benefits will be furnished to the employee upon termination.

Employees have the option to review the contents of their file by appointment with the Human Resources Department and may also request copies from their file at cost. A statement as to the contents of the file will be furnished to the employee, including records relating to the dismissal.

If an employee is separated for unsatisfactory service, dismissal or resignation with prejudice, he/she is not eligible for re-employment. Under special circumstances, the Chief of Police may give consideration for re-employment.

An employee who has been terminated will receive a letter containing the reason(s) for such termination with the date affixed thereto.

12.20 LEAVING EMPLOYMENT

When an employee decides to resign his/her position with the department, or to retire, the employee must submit an AA form to his/her direct Supervisor noting the last day of his/her requested employment. This shall be forwarded through the chain of command and Personnel unit as soon as possible for processing. In addition, employees must enter the resignation with the appropriate AA form into the City's HRIS system. Employees will only be eligible for payout of unused annual leave only if they have given and worked at least a two-week notice.

The Personnel unit will contact all employees leaving employment to ensure they are provided the appropriate check-out sheet. Employees are specifically responsible to complete the required separation form and have it signed off by all required offices and their supervisor. The purpose of this process is to ensure that all City property is returned to the City in proper working order. Failure to turn in any issued property, including uniforms, by the conclusion of the employee's final shift may result in deduction from or delay of issuance of all or part of an employee's final paycheck and/or annual leave payout. Cash, debts owed to the City, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, identification badges and other items belonging to the City and advanced or issued to and not repaid or returned by an employee at the time of separation are considered advances of wages, the value of which may be deducted from the employee's final pay check(s) or annual leave payout. By accepting and retaining any such property, the employee expressly authorizes such deductions.

12.21 RETIRED POLICE OFFICER

When officers retire as full-time sworn law enforcement officers with the Charleston Police Department, the following chart outlines the criteria for receiving a plaque, credentials and the officer's service handgun.

The Chief of Police, or his designee, will decide what items officers who have retired receive while under investigation for misconduct or other rule violations at the time of retirement. Under circumstances where officers have left the Department while under investigation for serious misconduct and the allegations are substantiated, only those items required by law will be authorized.

Personnel Type-Time Sworn Law Enforcement Officer						
Retirement Type	Service Only (No disability)	Service Incurred Disability	Non-service-Incurred Disability	Terminated for Cause	Resignation	Deceased-Items for Family
Credentials Only	Sworn officers retiring honorably under PORS after meeting retirement eligibility (25 or 28 years of service, including purchased time), or with at least 20 years of service at age 55.	No Minimum Amount of Time	Sworn officers retiring honorably under PORS after meeting retirement eligibility (25 or 28 years of service, including purchased time), or with at least 20 years of service at age 55.	No	No	No Minimum Retired Badge & ID Card
Shadow Box	20 Years of Honorable Service (to include purchased time)	No Minimum Amount of Time if line of duty injury; 10 years if injury occurs while in training or non-line of duty disability.	20 Years of Honorable Service (to include purchased time)	No	No	No Minimum
Service Handgun	Sworn officers retiring honorably under PORS after meeting retirement eligibility (25 or 28 years of service, including purchased time), or with at least 20 years of service at age 55.	No Minimum Amount of Time if line of duty injury; 10 years if injury occurs while in training or non-line of duty disability.	Sworn officers retiring honorably under PORS after meeting retirement eligibility (25 or 28 years of service, including purchased time), or with at least 20 years of service at age 55.	No	No	No

12.22 EMPLOYEE PRIVACY

Purpose

To balance the privacy rights of employees with the interests of the City and Department, while maintaining a safe and orderly work environment.

Expectation of Privacy

In order to safeguard their privacy, Department employees should be mindful of the following:

The Department reserves the right to search the workplace of employees to include work-related items such as Department-owned vehicles, structures, equipment, offices, desks, lockers, files and file cabinets at any time for administrative purposes. All Department employees are therefore strongly encouraged to refrain from storing on or in Department-owned property any personal article (including personal correspondence) they wish to protect from inspection

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by Department officials. Employees of the Department are deemed to have consented to unannounced searches of work areas upon request, with reason. Searches of employees' personal containers such as purses, briefcases, and lunch pails will not be conducted without the employee's consent.

Administrative Searches

For the purpose of efficiency and the proper measure of control, authorized supervisors have permission to search workplace areas for administrative reasons. Examples of these searches could include safety inspections, ensuring compliance with departmental regulations, equipment inventory or removal and retrieving departmental property. Any contraband or evidence of criminal activity discovered in the course of this type of search will be considered admissible in any subsequent administrative hearing. For searches related to suspected criminal activity, a search warrant will be secured in accordance with Fourth Amendment Guidelines.

Related Issues

1. Personal locks do not create a greater expectation of privacy;
2. Work related items include any department issued property that contains Electronically Stored Information (Cellular Phones, Pagers, Computers, E-mail, Thumb drives, etc.);
3. Individual system passwords to electronic data storage do not create an expectation of privacy (Refer to *General Order 66.4*);
4. Administrative employee searches, other than routine inspections (Refer to *General Order 65*), will only be conducted upon the authorization of a command staff member (lieutenants or above.) Searches of commanders will only be conducted upon the authority of the Chief of Police, or designee;
5. Administrative searches should be conducted with the employee's consent (if available);
6. If consent is refused, the Department may still conduct an administrative search if it determines that such action is necessary and consistent with this policy;
7. An employee may be disciplined, up to and including termination, for failing to consent or cooperate in any administrative search;
8. All searches will be for administrative reasons or when there are reasonable grounds for suspecting that the search will turn up evidence of work-related misconduct;
9. The Department will be permitted to use against the employee any evidence of misconduct discovered during the search in administrative proceedings;
10. If evidence of criminal activity is discovered, the administrative search will be halted immediately pending the issuance of a criminal search warrant;
11. If a search is conducted of the employee's personal property, it must be done as privately and quietly as possible, away from the view of other persons, and with another officer present;
12. The cause and findings of any search should be kept in strict confidence. In any decision to initiate a search within the workplace the needs of the Department to maintain supervision, control and efficiency must be objectively weighed against the privacy interests of the employee.