



GENERAL ORDER

Loudoun County Sheriff's Office

Chapter: Personnel Management

Section: 313.6

Subject: Career Development

Topic: Promotion Process

Enacted: 07/30/2015

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I. PURPOSE

The purpose of this General Order is to establish policies and outline procedures regarding the various promotional processes within the Loudoun County Sheriff's Office.

II. POLICY

It is the policy of the Loudoun County Sheriff to conduct a fair and objective process to select employees for promotion. The Sheriff will conduct the promotional process in accordance with the policies and provisions of these General Orders and the County's Human Resources Handbook. In making selections for promotion, the Sheriff will not consider a candidate's race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity or genetic information, pregnancy, childbirth or related medical condition, or status as a veteran except when such factors are related to bona fide occupational qualifications for the position in question. After the results of a promotional process have been compiled and reviewed, the Sheriff retains ultimate authority over the selection in accordance with Virginia law. Individuals selected for promotion will be assigned based upon the needs of the agency.

III. PROCEDURES

The Sheriff's Office is currently divided into six divisions. The position of Deputy First Class ("DFC") shall be an automatic promotion based on meeting established criteria. Sworn personnel seeking promotion to Sergeant, Second Lieutenant, and First Lieutenant shall compete for advertised positions in their respective career path. If the advertised vacancy is in the Administrative and Technical Service Division, then personnel from both the law enforcement and corrections career paths are eligible to apply. Promotion to Captain and Major shall be open to all qualified personnel regardless of their career path. The Sheriff retains the authority to make all appointments to the rank of Major or higher without competitive procedures.

The Sheriff may make acting appointments to any of the above positions (for up to 12 months) without competition, in accordance with Chapter 5 of the Loudoun County Human Resources Handbook.

A. INELIGIBILITY FACTORS

Employees within the Administration and Technical Services Division will be responsible for verifying that applicants for promotion do not have any of the following disqualifiers:

1. One Letter of Reprimand and/or two or more Letters of Warning issued within the preceding year from the date of promotional announcement.
2. A disciplinary suspension within the preceding year, calculated from the date of the promotional announcement through the date of the Sheriff's official promotion appointment memo.
3. An employee who receives an involuntary demotion for either performance or misconduct shall not be eligible to participate in any promotional process for two years from the effective date of the demotion.
4. If the employee is under a performance improvement plan, he/she shall not be eligible to participate in any promotional process.

B. GENERAL REQUIREMENTS

1. Certification with the Commonwealth of Virginia, Department of Criminal Justice Services, as a law enforcement officer, jail officer/inmate security, or court security/civil process officer.
2. All mandated certifications (DCJS certification, First-Aid, CPR, VCIN, etc.) must be current.
3. Must be in a regular full-time status.
4. Must have obtained an overall rating of at least "Fully Successful" or higher on the most recent annual performance appraisal.
5. Candidates are only eligible to apply to the next highest rank from their current rank.
6. These requirements shall apply both to Law Enforcement and Corrections career paths.

C. POSITION SPECIFIC REQUIREMENTS

1. Service time spent in an Acting or Underfill role is not applicable toward time standards as outlined below.
2. Deputy First Class ("DFC")

Deputies must have a minimum of three years of law enforcement/corrections experience, one year of which must be with the Loudoun County Sheriff's Office. The deputy must have completed his/her probationary period with the Loudoun County Sheriff's Office to be eligible. The DFC rank will be initiated automatically the pay period after the conclusion of the sworn deputy's third year with the Sheriff's Office if he/she has no prior

(pre-LCSO) certified law enforcement experience, or no earlier than after the completion of the probation period for a deputy who was previously certified. Up to two years of service credit will be given with two or more years of prior certified law enforcement service.

3. Master Deputy Sheriff ("MDS")

Deputies must have a minimum of 12 years of law enforcement, corrections, court security, or civil process experience, nine of which must be with the Loudoun County Sheriff's Office. Up to three years of service credit will be given for six or more years of prior certified law enforcement service. The number of eligible positions with the MDS rank will be limited to 15% of the non-supervisory sworn personnel in the agency. The deputy is required to complete the *Institute for Credible Leadership Development* course prior to application. (See also Appendix #1- Master Deputy Eligibility Determination)

Deputies selected for the MDS rank are ineligible to compete for a supervisory promotion for a period of two years.

4. Sergeant

Four years of overall experience, at least the last two of which must be with the Loudoun County Sheriff's Office in the deputy's career path. The deputy must have attained at least the rank of DFC to be eligible for Sergeant.

5. Second Lieutenant

One year of overall experience as a Sergeant or higher-level supervisor within the career path.

6. First Lieutenant

One year of overall experience as a Second Lieutenant or higher-level supervisor within the career path.

7. Captain

One year of overall experience as a First Lieutenant or higher-level supervisor within the deputy's path.

8. Major

The rank of Major is an appointed position and selection is solely at the discretion of the Sheriff.

9. Lieutenant Colonel

The rank of Lieutenant Colonel is an appointed position and selection is solely at the discretion of the Sheriff.

D. SELECTION PROCESS

1. All promotions to the rank of MDS, Sergeant, Second Lieutenant, First Lieutenant, and Captain will be accomplished through a competitive selection process. The Sheriff alone has the authority to determine which selection process is utilized, and information on the process selected shall be included in the promotional announcement. The implementation of the authorized selection process may be conducted internally or by an outside contractor. The following selection methods are approved for the promotional process and may be used singularly or in combination with others.
 - a. Written Application Review
 - b. Oral Board
 - c. Written Exam
 - d. Assessment Center
 - e. Resume
 - f. Interview
 - i. The selection process shall also include review of performance appraisals, personnel files, and Internal Affairs files.
2. Upon completion of the selection process the candidates shall be categorized as follows:
 - a. Recommended
 - b. Not Recommended
3. The Sheriff has no obligation to promote a deputy competing for a Sergeant, Second Lieutenant, First Lieutenant, or Captain position through any type of "vertical" or numerical order.

4. Once the promotional process has been completed, the Sheriff will certify and maintain the eligibility list, which will be in effect for a period of two years or until the Sheriff deems it necessary to establish a new eligibility list, regardless of whether candidates remain on the list.

E. PROMOTIONAL ANNOUNCEMENT

Once it is determined that a promotional process is necessary, an announcement shall be published notifying members of the agency of the promotional opportunity. The announcement shall be distributed to employees through the document management system.

The announcement shall contain the following information:

1. Description of the position
2. Date, time, and location of testing
3. Selection methods (outlined above) to be employed
4. Closing date and time for application

F. PROMOTIONAL PROBATIONARY PERIOD

All employees who are promoted will serve a one-year probationary period in his/her new position which shall be effective from the date of the actual promotion. The probationary period only applies to the promoted position and not to the overall employment status. The promotional probationary period may be extended at the Sheriff's discretion for cause, and the Sheriff shall have the final decision on whether to extend that probationary period.

G. PROMOTIONAL PAY

All who are promoted will receive compensation according to the guidelines set forth below. Promotions will occur in accordance with the Loudoun County Human Resources Handbook Chapter 5 and associated administrative policies and procedures.

Generally, promotion will result in placement on the step in the new rank that represents a minimum 5% salary increase from the employee's current base salary, rounded to the next higher step.

1. Exceptions:
 - a. Promotion to DFC shall result in movement from the deputy's current step in the U2 pay band to the corresponding step in the U3 pay band.

- b. Promotion to the rank of Sergeant shall result in placement on the step in the new rank that represents a minimum 10% salary increase from the employee's current base salary, rounded to the next higher step.
 - c. Promotion to the rank of Captain shall result in placement on the step in the new rank that represents a minimum 20% salary increase from the employee's current base salary, rounded to the next higher step.
- 2. Acting positions shall receive the same pay increase as if the employee were promoted. If a deputy is promoted from an acting position, no further salary increase shall occur.
 - 3. Step placement shall be determined on base salary only, not including any type of specialty pay. Promotional pay for supervisors will be coordinated through the Bureau Commanders to ensure transparency.

H. DEMOTIONS

Demotions may occur on a voluntary basis, during a promotional probationary period, or because of a disciplinary process. The process for demotions shall be in accordance with the Loudoun County Human Resources Handbook and associated administrative policies and procedures.

- 1. The employee's new base salary will be a step in the job classification/job grade that represents the lowest of the following two options:
 - a. The closest step that results in no less than a five percent reduction in current base salary; or
 - b. The step the employee would have been at had he or she not promoted, based on any annual merit step increases, cost of living adjustments, education, or non-promotion related adjustments that occurred after his/her promotion and for which the employee would have otherwise been eligible.
- 2. Step placement shall be determined on base salary only, not including any type of specialty pay.
- 3. Grievances shall be conducted in accordance with General Order 301.

I. APPEAL PROCESS

An employee who has participated in a competitive promotion process who believes that he or she has been adversely impacted by failing to be promoted may appeal that decision to the

Sheriff for reconsideration. The appeal must be made in writing and submitted to the Sheriff within five business days of the selection announcement. The Sheriff shall make the final decision on any appeal. Failure to comply with the five-day filing requirement shall conclude the appeal and no further action shall be required by the Sheriff.

The Sheriff has the sole discretion to either retest or determine that the error found would not affect the appealing party's promotional potential. If an error is discovered to have been made in any element of the promotion process, the Sheriff shall have the right to retest either the individual impacted or all the candidates.

Appendix #1**Master Deputy Eligibility Determination****Application Process**

On an annual basis, or when vacancies arise, the Commander of Administrative and Technical Services will post an advertisement requesting the submission of applications (online Master Deputy Application Form) from personnel wishing to participate in the advancement process for the rank of MDS. Deputies are expected to be involved in specialties, collateral duties, and continuing education. Deputies must document their involvement, performance, and accomplishments in their master deputy application via supporting documents.

Applications will be submitted electronically to the deputy's immediate supervisor and forwarded to the respective Division Commander, where they will be checked for eligibility requirements and then forwarded to the Lieutenant Colonel of the Administrative Bureau. The applications must be submitted by the close of business on the closing date listed in the advertisement. The Lieutenant Colonel of the Administrative Bureau will notify all eligible candidates of the date and time of their interviews.

After the Sheriff and his/her appointed team conduct interviews, the candidates will be classified as either "Recommended" or "Not Recommended" and placed on an eligibility list if recommended. Once the promotional process has been completed, the Sheriff will certify and maintain the eligibility list, which will be in effect for a period of two years or until the Sheriff deems it necessary to establish a new eligibility list, regardless of whether candidates remain on the list. The Sheriff will select for promotion off this list as positions become available.

Eligibility Criteria

Service Time – Deputies with certified law enforcement, corrections, court security, or civil process experience from other agencies will be given credit for service at a rate of 0.5 year for each year of such experience up to a maximum of three years of service credit for six years or more of prior service. Service time with this agency takes priority over service time with an outside agency for the level of MDS. Any deputy wishing to use prior service as a credit for eligibility must present a certificate or documentation of graduation from a certified criminal justice academy if requested by the review committee.

Medical and Military Leave

Deputies may be on Family Medical Leave, Temporary Restricted Duty, Workers Compensation, Extended Medical Leave (granted by the Sheriff and County Administrator), or Military Leave and still earn service credit for eligibility.

Non-Medical Leave of Absence

Participants who take a non-medical leave of absence for more than 30 days will not earn service credit for qualification eligibility for any period beyond the 30 days.

Deputies shall meet the above criteria prior to submitting their applications for the competitive process for the rank of MDS.

Supervisor Evaluation Process

The deputy's immediate supervisor shall complete the Master Deputy Evaluation form (LCSO Form 6.38) and review it with the deputy prior to submission. If a discrepancy in the information provided by the supervisor arises concerning the supervisor's evaluation or if the deputy and supervisor do not agree, the deputy may request a meeting with his/her station or division commander or designee. The meeting between the deputy and the commander must occur within five business days of the deputy requesting the meeting. The division commander or his/her designee shall have the authority to resolve the concerns. Should the deputy not be satisfied with the decision, he/she may submit a written rebuttal of no more than three pages with his/her evaluation form. Deputies who are part of a collateral duty team shall have the supervisor/team commander of each duty complete the Master Deputy Evaluation form.

Panel Interview

The eligible deputy will be notified by the Lieutenant Colonel of the Administrative Bureau of the date and time for the deputy to participate in the panel interview with the Sheriff and his/her designees. Deputies should prepare themselves as they would with any other competitive or promotional process. Deputies are encouraged, but not required, to submit a resume to the panel at the time of the interview. The resume may include positions or duties held, accomplishments, achievements, and commendations.

Continuing Education

Recognizing that continuing education is an integral part of any career development, the MDS program requires that certain levels of training be completed for each level of the program. The requirements for each level are listed below. All education requirements must be met by the application due date. The Sheriff has the authority to give a maximum 12-month extension for extenuating circumstances.

Responsibilities

The MDS will participate in every division and section of the agency. A basic list with general responsibilities that may be assigned to each level of the program has been compiled. Participants are encouraged to meet with their respective supervisors to establish an understanding of what

responsibilities they will be expected to carry out.

These responsibilities will include assisting Sergeants with routine administrative duties including, but not limited to, reviewing incident reports, reviewing crash reports, inspections, inventories, and collecting paperwork, as well as operational control of a squad and any other duties as tasked by a Sergeant or Lieutenant, excluding evaluations and disciplinary/complaints. Master Deputies will be expected to fill in for absent Sergeants as directed by other supervisors.

Career Path Change

MDS are permitted to laterally transfer between career paths and remain at their current level of the program if they continue to meet the eligibility requirements.

Program Maintenance

The deputy must have obtained an overall rating of least "Fully Successful" on his/her annual Performance Appraisal. The deputy must maintain all agency mandated certifications. Deputies shall maintain MDS status by continuing to handle the duties and responsibilities of that position. The deputy's immediate supervisor will complete the Master Deputy Evaluation form (LCSO Form 6.38) for "Yearly Maintenance" for the deputy and shall indicate if the deputy has continued to handle the duties and responsibilities of the position. Any MDS who fails to meet the qualifications of the program will be notified that he/she must appear before the Sheriff's review team to explain why he/she should not be removed from the rank of MDS. If removed from the rank of MDS, the deputy will be demoted to the rank of DFC.

Review of a deputy's participation as a MDS will occur concurrent with the annual performance appraisal period each year. The deputy's immediate supervisor will certify that each of the above criteria have been met during the previous 12 months. Failure of a participant to maintain eligibility will be managed as outlined in the section on Ineligibility Demotions below. If eligibility is lost at any point during the year, a report shall be immediately forwarded by the participant's supervisor to the Administrative and Technical Services Division Commander for action as indicated in Involuntary Demotions.

Ineligibility Demotions

If the supervisor of the MDS identifies areas in which the MDS is deficient and may place him/her in danger of not fulfilling the established criteria, such supervisor shall notify the MDS of same at least six months in advance to allow corrective action to be taken by the MDS.

Deputies may be removed from the MDS program and involuntarily demoted for any of the following:

- Deficiencies in performance as a MDS and failure to correct such deficiencies within the six-month time frame noted above.
- Employee receives a Suspension without pay while in MDS program.

If a deputy fails to meet the maintenance requirements for continued participation at his/her current level, his/her immediate supervisor shall note such and forward that information to the Division Commander detailing what criteria the participant has not met. After review for accuracy by the Division Commander, the report is forwarded to the Administrative and Technical Services Division Commander. The report will then be forwarded to the Sheriff or his/her designee and the MDS will be notified to appear before the Sheriff or his/her designee to explain why he/she should not be removed from the rank of MDS. If a demotion is warranted, the demotion will occur as soon as administratively possible. The MDS will then be demoted to a DFC and his/her salary will also be decreased to the appropriate level.

The Sheriff makes all final determinations regarding eligibility demotions/removal as MDS. Deputies facing demotion within, or removal from, the Program have no grievance rights regarding any such action.