

 <p style="text-align: center;"><b>BEL AIR POLICE DEPARTMENT</b></p> <p style="text-align: center;"><b>Policies And Procedures</b></p> <p style="text-align: center;"><b>Charles A. Moore</b> Chief of Police</p>	<b>CHAPTER: 34</b>
	<b>TITLE: Promotional Process</b>
	<b>No. Pages: 10</b>

**34-100 Purpose**

The directives in this chapter refer to the vertical movement in the departmental hierarchy from one rank classification or position to another, usually accompanied by increases in salary.

It is the policy of the Bel Air Police Department (BAPD) to establish a method whereby promotions to the rank of Corporal and above are fair and consistent. It is the goal of BAPD to provide opportunities for employee advancement and job enrichment balanced with the need to strengthen employee institutional knowledge and organizational strength.

**34-101 Personnel Manager**

The Chief of Police is responsible for all operational aspects of the promotional process including, but not limited to, preparation of announcements, administration of the written examination, and oral interviews. The final compilation of any promotional eligibility list will be the responsibility of both the Chief of Police and the Director of Human Resources.

**34-102 Process Phases**

The process for promotion to Corporal and Sergeant shall consist of the following two phases:

1. Qualification
2. Competition

In order to compete in the promotional process, a member must meet the criteria established in the following areas:

1. Performance Evaluation
2. Time-In-Grade
  - a) Each candidate shall be responsible for meeting all established procedures including, but not limited to, deadlines and appearance at the oral interview board and written examination.
  - b) Falsification or misrepresentation of any information or documentation furnished by the candidate shall automatically disqualify the candidate from the process, and may result in disciplinary action.

- c) Any member on probation is not eligible to compete for promotion.
- d) Any member reduced in rank is not eligible to compete in the promotional process for two years from the date of demotion.
- e) All members must have certification in basic law enforcement training as issued by the Maryland Police Training Standards Commission.
- f) The list becomes effective upon posting and supersedes the previous list.

### **34-103 Qualifications**

#### **Officer First Class**

All officers who meet the following requirements are eligible for promotion to Officer First Class:

- 1. Two (2) years of experience as a Bel Air police officer.
- 2. Satisfactory performance evaluation for the most recent rating period.
- 3. Chief of Police's recommendation to the Town Administrator for promotion.
- 4. No written test or oral interview is conducted for promotion to Officer First Class.

#### **Senior Officer**

All officers who meet the following requirements are eligible for promotion to Senior Officer:

- 1. Ten (10) years of experience as a Bel Air police officer. Lateral entry into Senior Officer rank is not permitted.
- 2. Recommendation of support from the employee's Sergeant based on satisfactory job performance as determined by a review of all:
  - a. Performance appraisals for the most recent year
  - b. Documented job observation material for the most recent year
  - c. Disciplinary actions for the last two years
  - d. Open internal affairs complaints
- 3. No written test or oral interview is conducted for promotion to Senior Officer.

If an officer is not promoted upon the completion of their tenth (10<sup>th</sup>) year due to an open internal investigation which is ultimately sustained, or a poor recommendation (or no recommendation) is received from their Sergeant, the officer will be eligible for promotion on their next hire anniversary date. If an officer is not promoted upon the completion of their tenth (10<sup>th</sup>) year due to open internal investigations which are ultimately unfounded, non-sustained or the officer is found not guilty at a hearing board of the allegation that caused them not to be promoted, the officer will be promoted within 14 days of the date that the case is closed.

It is incumbent of officers to notify their Sergeant at least two weeks prior to their 10<sup>th</sup> year hire anniversary. Once notified, Sergeants will follow the directions above and submit the letter to the Deputy Chief as soon as practical, without unnecessary delay.

**Corporal**

All officers who meet the following requirements are eligible for promotion to the rank of Corporal.

1. Officer First Class or Senior Officer with at least five (5) years of experience as a Bel Air police officer on the date the written test is administered.
2. Satisfactory or higher performance evaluations for the most recent rating period.
3. A Supervisor's Suitability for Promotion Recommendation Letter.

The BAPD does not permit external lateral entry into any non-commissioned promotional vacancies. However, lateral experience will be considered at the discretion of the Chief of Police for promotion from Officer First Class to Corporal. A positive recommendation will be needed in the Supervisor's Suitability for Promotion Letter in these instances. The candidate must have at least three (3) years lateral experience for consideration.

**Sergeant**

All Corporals who meet the following requirements are eligible for promotion to the rank of Sergeant.

1. A minimum of 4 years of experience as a Corporal with the Bel Air Police Department on the date the written test is administered. Thirty (30) college-level credits in law enforcement or a closely related field may be substituted for one (1) year of experience.
2. Satisfactory or higher performance evaluations for the most recent rating period.
3. A Supervisor's Suitability for Promotion Recommendation Letter.
4. Supervisors of applicants that receive a "Fails to Meet Expectations" on an annual performance appraisal must justify to the Chief of Police their subordinate's continued eligibility in the process (has employee's deficiency improved?). This can be documented in the Supervisor's Suitability for Promotion Letter.
5. Satisfactory completion of a prior Supervisory Training course as specified by the Maryland Police & Correctional Training Commission (MPCTC).

Note: If an open Internal Affairs complaint is active on the candidate, the candidate shall still be allowed to compete for promotion; however, if sustained, the candidate may face demotion from the newly appointed rank or expulsion from the entire process.

**Exceptions:**

1. Any member, who at the time of process is currently suspended without pay, may not compete in the promotional process.
2. Supervisors of applicants that receive a "Fails to Meet Expectations" on an annual

performance in any individual category in the appraisal must justify to the Chief of Police their subordinate's continued eligibility in the process (has employee's deficiency improved?). This can be documented in the Supervisor's Suitability for Promotion Letter.

### **34-101 Application**

Interested candidates for promotion shall apply per the procedures set forth by the Chief of Police.

1. A candidate shall complete an Application for Promotion Form which will accompany the required Suitability for Promotion Form completed by the candidate's direct supervisor.
2. The completed Application for Promotion and appropriate required documentation, including level of secondary education, if applicable, shall be forwarded to the Chief of Police by the preset deadline.
3. The Chief of Police shall ensure all applicants meet the eligibility qualifications before allowing the candidate to participate in the process.
4. Any member not meeting the required qualification requirements shall be notified in writing by the Chief of Police within fifteen (15) days of completion of the application phase.
5. The written notification shall state the reason(s) the member did not meet the eligibility qualifications.
6. Any member may appeal eligibility, and request the decision to be reconsidered via a memorandum to the Chief of Police or his/her designee.
7. The appeal must state the reason(s) the member believes he/she is eligible and must be submitted within seventy-two (72) hours of the member's notification of ineligibility.
8. The Chief of Police, or his/her designee, and the Director of Human Resources shall meet with the appealing member within seventy-two (72) hours (excluding Saturday, Sunday, and holidays) of receipt of the appeal.
9. The decision of the Chief of Police, or his/her designee, and the Director of Human Resources is final.

### **34-102 Competition**

The competition phase will consist of competing against one's peers in the following areas to demonstrate his/her potential for success at the next higher rank;

1. Seniority (Corporal and Sergeant only)
2. Education
3. Written Examination
4. Oral Interview

## PROMOTIONAL PROCESS

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### 34-103 Point Systems

The competition elements shall have the following maximum points:

Elements	Points
Seniority	10*
Education	7
Written Test	100
Oral interview	100

\*Seniority - Points will be awarded at a rate of one (1) point for one (1) year of service above what is required to test, with a maximum of 10 points.

(Example: Employee has 9 years total service, and position requires five (5) years' service to qualify, then they would be awarded four (4) points.

The assessed points for qualifying college degrees or credits from an Accredited College or University are as follows:

Credits / Degrees	Points
30 Credits	1
60 Credits	2
AA Degree	3
BA Degree	4
MS / MA	5
Juris Doctorate	6
PhD / Practicing Attorney	7

Note: Three (3) points shall be awarded to the candidates that have greater than sixty (60) credits but have not completed a degree. In addition, credit will not be given for multiple degrees.

### 34-104 Written Test

1. All qualified officers who apply for testing will be notified in writing of the date, time, and location of testing. An officer must obtain a seventy (70) percent or above in order to move to the next step.
2. The Human Resources Director will hold all test material and administer the written test.
3. The written test will encompass random material selected from the following;
  - a) The Manual of Operations Policies and Procedures
  - b) The Town Code

- c) The Town Personnel Manual
  - d) Maryland Criminal Law Digest
  - e) Maryland Vehicle Law Digest
  - f) Any other applicable study material deemed appropriate for the open positions, which will be provided by the agency.
4. Candidates will be provided the appropriate list of study materials at a minimum of ninety (90) days prior to the date of the written examination.
  5. Only policies in effect prior to the distribution of the testing guide shall be utilized for question purposes.
  6. Testing may be open book or closed book as directed by the Chief of Police. If a candidate arrives late, the test administrator will allow the candidate to take the exam as long as no other candidates have finished and submitted their exams. Any candidate who arrives late must submit a detailed report discussing the circumstances that caused the late arrival. This report will be reviewed by the Chief of Police who will determine if the candidate's test result will be eligible for inclusion in the process.
  7. The use of electronic devices is prohibited for testing purposes.
  8. Only those study materials issued or provided by the agency will be allowed in the classroom during testing.

### **34-105 Absence**

No excuse will warrant an officer's failure to appear on the scheduled date and at the scheduled time.

### **34-106 Oral Interviews**

1. An oral interview will be convened by the Chief of Police and conducted by a 3-member board with 1 alternate.
2. The alternate shall be present during the entire board process, but may only contribute if one of the primary board members is excused for that applicant.
3. Primary board members must excuse themselves if they have, or have had, a personal or professional relationship with any applicant.
4. All board members will meet with the Chief of Police prior to beginning of the board process for orientation.
5. The members of the board will consist of officers from outside the Bel Air Police Department at the discretion and approval of the Chief of Police.

6. No candidate is authorized to contact any member of the Oral Interview Board regarding the promotional process. All information discussed during the interview is deemed sensitive and confidential. No member of the interview board is authorized to disclose the results of a candidate's performance during the interview.
7. At least 2 members of the Board will be of the same rank for which the officer is being interviewed. The other member will be that rank or higher.
8. Candidates who successfully complete the written examination will be notified of the date and time of their scheduled oral interview at a minimum of 7 days in advance of the interview.
9. Candidates will be allowed forty five (45) minutes for each interview; therefore concise and specific responses are imperative.
10. All questions will be the same for all candidates being interviewed for a particular rank.
11. Subjective questions shall not be allowed. All questions must have specific, enumerated benchmarks.
12. The Director of Human Resources must be present at all oral boards to ensure the integrity of the process.
13. The Director of Human Resources shall be seated in the board room in such a way as to ensure that the board cannot infer any information from non-verbal clues given by the representative.
14. The completed Oral Interview Rating Packet shall be given to the Director of Human resources and reviewed with the Chief of Police.

### **34-107 Eligibility List**

1. Candidates eligible for promotion will make up an eligibility list. Candidates will be placed on the list for one (1) year in order of score from first to last.
2. The eligibility list will expire one year (1) from the date the candidates complete the promotional process and the results are posted (sent to each candidate).
3. The candidates will then be placed on a certification list when a vacancy exists. The certification list will contain the highest scoring candidates and will consist of one (1) candidate more than the number of vacancies.
4. The Chief of Police will review the Suitability for Promotion Form to arrive at the promotion.
5. The Suitability for Promotion Form should contain several (only) incidents / Events / Award worthy performances that would best frame the candidate's promotional eligibility. One or two sentences only for each of the several incidents. i.e. "Officer First class Jones is credited with saving the life of a fellow officer who was shot during a gunfight."

6. A tie for the ranks of Corporal and Sergeant will be decided by the highest score in the following order and category:
  - Written
  - Oral
  - Seniority
  - Time in Grade
  - Time with agency
  
7. A candidate may review his/her overall score and ranking after the promotional eligibility list has been posted by requesting a meeting with the Director of Human Resources.

### **34-108 Promotion Assignment**

Specific assignments shall be at the discretion of the Chief of Police. A candidate who refuses a promotion is no longer eligible for promotion from the current promotional eligibility list.

### **34-109 Promotion Probationary Period**

1. All promotions are probationary for one (1) year from the date of the promotion.
2. Any promoted member on probationary status who receives one (1) unsatisfactory rating in any factor may be returned to his/her previous rank.
3. In the absence of an eligibility list for a specified rank and classification, the Chief of Police may appoint a member to temporarily act in any capacity for a specified period, generally up to one (1) year, however; extenuating circumstances may necessitate an extension. The establishment of an eligibility list will conclude the acting capacity promotion.
4. The acting rank shall be a maximum of one rank above the member's existing rank.
5. The acting member shall be compensated at the acting level.

### **34-110 Appeal/Challenge Process**

1. Employees may review and appeal/challenge written examination responses and results; adverse decisions concerning eligibility; and performance evaluations used during the process.
2. During the examination, candidates may copy down their numeric or alphabetic answers on a separate piece of paper. Immediately following the examination, answer sheets will be posted in a conspicuous place at the test site, so that candidates can immediately review their test results.



3. Candidates will be given the opportunity to review their original answer sheet and examination. To allow for the timely completion of an eligibility list, all reviews of original answer sheets will be accomplished within five (5) days of the written examination. The Deputy Chief will coordinate the review process and allow each candidate an opportunity to review the examination.
4. Candidates have ten (10) days from the examination date to challenge items on the written examination. All challenges must be in writing to the Deputy Chief, and will give the reference site from which the challenging employee obtained the answer in question. The Deputy Chief (in collaboration with the Chief of Police) will review the challenges and after determining the validity of the challenges, publish the final test results.
5. A candidate may challenge the results of performance evaluation reports as indicated in 35:1.12. The appraisal challenge must have been accomplished during the appraisal process and not during the promotional process.
6. If the Deputy Chief determines that a candidate's promotional position has changed after initial publication of the promotional lists, he shall compile a new list and notify all candidates of the results.
7. A candidate may not challenge the scores given by the assessors for the Oral Interview portion of the promotional process.
8. Employees who wish to appeal their overall promotional score will contact the Deputy Chief of Police and forward in writing their reasons for contesting any decisions or testing procedure.

### **34-111 Reapplications**

Normally, unless the appeal process points out inequity, mishandling of the promotion process, or other flaws in the process, the right to reapply for promotion does not exist. Such a discrepancy must cause a reversal of the questioned promotion in order for a reapplication to be considered. Those who were found eligible initially are free to reapply under these circumstances. Those officers affected by a verified inequity must notify the Chief of police of their intent to reapply for the subject promotion. The notification must be in writing and submitted within seven (7) days of the decision to promote.

### **34-112 Security of Promotional Materials**

The Director of Human Resources and the Chief of Police will maintain security of the testing materials.

**34-113 Process for Promotion to Lieutenant**

(Under Review)

**34-114 Process for Promotion to Captain/Deputy Chief**

(Under Review)

**34-115 Job Relatedness**

1. The Bel Air Police Department provides an equal opportunity for all sworn members to be considered for promotion based upon components and procedures tailored to meet the needs of the Department, and which are job-related and nondiscriminatory.
2. The Deputy Chief of Police will assess the promotional process when necessary to ascertain if there has been any adverse impact.
3. The Town Administrator will have final approval of all promotions recommended by the Chief of Police.

**Date:** August 02, 2017

**Revised:** June 17, 2021

**Approved:** \_\_\_\_\_



Charles A. Moore, Chief of Police

**END**