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Chief of Police

# ALBANY, NEW YORK

## POLICE DEPARTMENT

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ALBANY, NEW YORK 12210



1789

### PROMOTIONAL PROCESS

### GENERAL ORDER NO: 2.3.10

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<b>Issuing Authority:</b> Chief Eric Hawkins	

**PURPOSE:** The purpose of this policy is to establish procedures for the promotional process for sworn and non-sworn personnel of the Albany Police Department.

**POLICY:** It is the policy of the Albany Police Department to promote personnel within the guidelines established in this policy and to comply with any applicable [Civil Service Laws](#). All elements used to evaluate candidates for promotion shall be job-related and nondiscriminatory.

**DEFINITIONS:** **Competitive Class** – Competitive class of civil service consists of positions for which it is practicable to determine the merit and fitness of applicants by competitive examinations. These examinations are either open competitive, that is, open to all applicants meeting the minimum qualifications for the position; or, promotional, for those individuals already serving in a lower position within the same jurisdiction as the existing vacancy (e.g., sergeant and lieutenant positions).

**Non-Competitive Class** – Non-competitive class of civil service consists of positions for which using a competitive examination to determine the merit and fitness of the applicants has been found to be not practicable (e.g., commander, deputy chief of police, and chief of police positions).

**Eligible List** – Eligible list means an official record established and maintained by the personnel officer as a public record which contains the names of those persons who have successfully completed an examination, listed in order of their final ratings from the highest to the lowest rank.

**Personnel Officer** – Personnel officer means the personnel officer of Albany County. The personnel officer shall be appointed by the County Executive, and such appointment shall be subject to the approval of the County Legislature.

**Position** – Position means an aggregation of duties to be performed and responsibilities to be exercised by one person in a civil division.

## **I. PROMOTIONAL PROCESS – SWORN COMPETITIVE CLASS POSITIONS**

### **A. Authority and Responsibility:**

1. In accordance with [Section 42-2 of the City Code](#), the Chief of Police shall have sole authority and responsibility for administering the department's role in the promotion process whenever a vacancy occurs for a sworn competitive class position.

### **B. Eligibility:**

1. In order to be eligible to participate in a promotion or to be promoted to a sworn competitive class position, a candidate must have been employed on a permanent basis in a lower grade, either in direct line of promotion or in a related collateral line of promotion, as determined by the personnel officer.
2. The personnel officer shall determine the minimum period of such service for eligibility, either time-in-grade and/or time-in-rank, to enter a promotional examination for the resulting eligible list.
3. When a vacancy exists within the department, which requires the promotion of a member to a competitive class rank, the Chief of Police may do any of the following:
  - a. Request the Civil Service Commission to schedule a test to provide him/her with a certified eligibility list of candidates; or
  - b. Make an appointment from an existing eligibility list of candidates.

### **C. Promotional Announcements:**

1. The Civil Service Commission shall make appropriate announcements when competitive promotional examinations are scheduled. The announcements must be posted at least ten (10) days prior to the last filing date and will include the following information:
  - a. The posting for the position shall contain a concise description of the vacancy, salary, duties and responsibilities, skills, knowledge and abilities required.
2. When a promotional exam is scheduled, the Chief of Police shall issue an Intra-Departmental Correspondence (IDC) notifying personnel of the upcoming exam.
3. Supervisors shall make announcements during roll calls to ensure members are aware of the upcoming promotional exam.
4. Information regarding the exam shall remain posted until the closing date of submission of application.
5. The numerical weight given to each eligibility requirement shall be determined by the Civil Service Commission, prior to the announcement of the upcoming promotional process. The weighting of each phase shall be included in the written announcement.

### **D. Written Examinations:**

1. Examinations are prepared and rated by the New York State Civil Service Department:
  - a. For examinations prepared and rated by the State Civil Service Department, the provisions of the rules and regulations of the State Civil Service Commission and department shall govern the rating of examinations, the review of examination papers by candidates, and the filing of appeals.
  - b. Written examinations shall be held at pre-approved assessment centers only.
  - c. The State Civil Service Commission shall have sole and exclusive authority to correct any errors in rating upon appeal or otherwise.
  
2. Examinations Prepared and/or Rated by the Personnel Officer:
  - a. The personnel officer shall adopt a system to conceal the identity of the candidate's papers in a written examination until such written examination has been rated.
  - b. Rating keys shall be prepared for each examination held. Such keys shall be a permanent part of the record for each examination. The marking of an examination shall be made on the scale of one hundred (100), with seventy (70) as the passing score.
  - c. The personnel officer may, after the announcement of an examination is made, subdivide the written examination into parts and require a passing mark of seventy (70) in each of the parts in order that candidates are considered further for eligibility. Notice of such arrangements shall be given in the instructions of the written examination.
  - d. Applications and examination records and papers of candidates shall be preserved in accordance with the policies of the State Commissioner of Education and the State Civil Service Commission.
  - e. Whenever an oral examination shall be prescribed as part of an examination, every effort shall be made to ensure that a stenographic or recording device record of all the questions and answers be made a part of the examination records.
  - f. Every candidate in an examination shall be notified in writing of his/her final rating.
  - g. Except for candidates in continuous recruitment examinations, any candidate receiving such notice may inspect his/her examination papers in the office of the personnel officer and in the presence of a designated representative of the personnel officer, provided he/she makes his/her request for such inspection, in writing, within ten (10) days of the date of the postmark of such notice.
    - i. The examination papers of a candidate shall be exhibited only to the candidate except that a candidate may bring a consultant to review the record of an oral examination.
    - ii. The consultant must be approved by the personnel officer prior to the review and may not be an individual who was in

any way involved in the preparation, conduct, or administration of the examination.

- h.** A candidate who wishes to appeal to the personnel officer for his/her rating in one, or more, or all of the subjects of an examination must submit such appeal in writing within twenty (20) days after the earliest date on which his/her examination papers were made available for his/her inspection.
  - i.** Such appeal shall be considered as opening all of the candidate's papers for review, whether resulting in a higher or lower standing.
  - ii.** No change in rating shall be made as a result of an appeal unless it shall affect the candidate's relative position on the eligible list.
- i.** Applicants determined to be ineligible for promotion may reapply after the announcement of another promotional examination.

**E. Eligibility Lists:**

**1. Passing Grade and Ranking:**

- a.** Every candidate who attains a passing score in an examination as a whole and who meets the standards prescribed, if any, for separate subjects or parts of subjects of the examination shall be eligible for appointment to the position for which he/she was examined and his/her name shall be entered on the eligible list in the order of his/her final rating; but if two (2) or more eligible applicants receive the same final rating, they shall be ranked in accordance with such uniform, impartial procedure as prescribed by the personnel officer.

**2. Eligible List Establishment:**

- a.** The date of the establishment of the eligible list shall be the date fixed by personnel officer resolution and shall be entered on the eligible list.
- b.** The eligible list shall be ranked by score, seniority credits, and, if applicable, veteran's credits.
- c.** The duration of all eligible lists shall be fixed by the personnel officer resolution prior to the establishment of such lists, but shall not be less than one (1) year and no more than four (4) years.

**F. Job Selections:**

- 1.** When a vacancy exists within the department which requires the promotion of a member to a competitive class position, the Civil Service Department shall provide the Chief of Police with a written certified eligibility list of candidates, generated from the current promotional examination.

2. Upon receiving the ranked certification list of candidates from the Civil Service Department, the Chief of Police is vested with the authority to select the most qualified candidate from the top three (3) candidates.
3. The Chief of Police may request recommendations for promotion from the eligible candidate's supervisors. In addition, the Chief of Police may review performance evaluations and all documents in the department member's personnel file, as well as conduct an interview process of eligible department members to assist in the selection process.
  - a. Oral interviews will be given to eligible candidates by the Chief of Police and/or his/her designee(s), who will employ a set of uniform questions.
  - b. These questions will evaluate each candidate's application/promotional potential to ensure that all the minimum qualifications for the position are met.
  - c. The candidate(s) will be given an explanation of the details of the promotion process in order to have a better understanding of what to expect.

**G. Procedures for Vacancies Where Lateral Entry is Permitted:**

1. Lateral entries, where permitted, shall be in accordance with the Albany Police Supervisors Association (APSA) Collective Bargaining Agreement.

**H. Promotional Probation:**

1. Per Article 9.7 of the Albany Police Supervisors Association (APSA) Collective Bargaining Agreement, any employee who receives a permanent appointment to fill the position of Sergeant or Lieutenant shall be subject to a probationary period not to exceed twelve (12) weeks.

**I. Security of Promotional Material:**

**1. Examination Material Security:**

- a. In order to prevent the unauthorized publication and dissemination of examination material, the following acts are prohibited, except as authorized by the personnel officer:
  - i. No person shall copy, record or transcribe any examination question or answer; or remove from the examination room or possess outside the examination room, any question sheet, answer sheet or booklet, scrap papers, notes or any other papers or materials relating to such examinations.
  - ii. A candidate in an examination shall not at any time communicate with an examiner concerning the conduct or content of such examination; and shall not directly or indirectly communicate to any other person information concerning the content of such examination until completion of the testing of all candidates.

2. All other related promotional material shall be maintained by the Civil Service Commission, and any other department related promotion material shall be maintained by the Chief of Police in a secure file, and in accordance with [NYS Records Retention and Disposition Schedule MU-1](#).

**II. PROMOTIONAL PROCESS – SWORN NON-COMPETITIVE CLASS POSITIONS**

**A. Authority and Responsibility:**

1. In accordance with [Section 42-2 of the City Code](#), the Chief of Police shall have sole authority and responsibility for administering the department’s role in the promotion process whenever a vacancy occurs for the following sworn non-competitive class positions:
  - a. Commander; and
  - b. Deputy Chief of Police.
2. In accordance with [Section 301\(c\)\(1\) of the City Code](#), the City Mayor shall have sole authority and responsibility to appoint the Chief of Police, which shall be subject to the advice and consent of the Common Council.
  - a. The Common Council must either confirm or reject any such appointment within forty-five (45) days of the Mayor’s filing of a written notice of appointment with the City Clerk.
  - b. In the event the Common Council fails to timely approve or disapprove the appointment, the appointment shall be deemed confirmed.
  - c. In the event the Common Council timely rejects the appointment, the Mayor shall make a new appointment for such position, which shall be subject to confirmation pursuant to the above procedure.

**B. Eligibility:**

1. In order to be eligible to participate in a promotion or to be promoted to a sworn non-competitive class position, a candidate must have been employed on a permanent basis in a lower grade, either in direct line of promotion or in a related collateral line of promotion.
  - a. Exceptions may be made at the discretion of the Chief of Police or, if applicable, at the discretion of the City Mayor.

**C. Procedures:**

1. Whenever a job opening occurs in a non-competitive job classification, or as a result of the development or establishment of a new job classification, a written notice of the promotional process shall be posted, as determined by the Chief of Police or, if applicable, as determined by the City Mayor.
  - a. During this period, employees who are eligible to apply for the open position may do so. Application procedures shall be explained to eligible applying candidates; either verbally or in writing, as

determined by the Chief of Police or, if applicable, as determined by the City Mayor.

- b.** The Chief of Police may request recommendations for promotion from the eligible candidate's supervisors. In addition, the Chief of Police may review performance evaluations and all documents in the department member's personnel file, as well as conduct an interview process of eligible department members to assist in the selection process.
  - i.** Oral interviews will be given to eligible candidates by the Chief of Police and/or his/her designee(s), who will employ a set of uniform questions.
  - ii.** These questions will evaluate each candidate's application/promotional potential to ensure that all the minimum qualifications for the position are met.
  - iii.** The candidate(s) will be given an explanation of the details of the promotion process in order to have a better understanding of what to expect.
- c.** The vacancies or job openings for non-competitive class positions shall be filled from those employees who have applied and who meet the standards of the job requirements, as determined by the Chief of Police or, if applicable, as determined by the City Mayor.

## **2. Review and Appeal of Results:**

- a.** Any review and appeal of results for each promotional element by candidates of a non-competitive class position shall be at the discretion of the Chief of Police or, if applicable, at the discretion of the City Mayor.

## **3. Procedures for Vacancies Where Lateral Entry is Permitted:**

- a.** When a non-competitive class ranking position vacancy occurs, the Chief of Police may verbally notify eligible employees of the opportunity to request a lateral transfer from their current assignment to the vacancy before it is filled by a promotion process.

## **4. Promotional Probation:**

- a.** Promotional probation, if any, shall be determined by a written contract of agreement mutually agreed upon between all involved parties.

## **D. Security of Promotional Materials:**

- 1.** All promotion material shall be maintained by the Chief of Police or, if applicable, the City Mayor, in a secure file, and in accordance with [NYS Records Retention and Disposition Schedule MU-1](#).

### **III. PROMOTIONAL PROCESS – TELECOMMUNICATIONS PERSONNEL**

#### **A. Promotional Announcements:**

1. The notice of job openings shall be announced and posted at least ten (10) days prior to the last filing date and shall contain a concise description of the vacancy, salary, duties and responsibilities, skills, knowledge and abilities required.

#### **B. Eligibility:**

1. All applicants for the position of Senior Dispatcher shall have no less than (3) years of service as a Telecommunications Specialist.
2. All applicants for the position of Telecommunication Supervisor shall have no less than (6) years of service as a Telecommunications Specialist.
3. Telecommunications applicants who successfully pass the civil service written examination for the applicable promotional title shall be appointed pursuant to the review board process.

#### **C. Review Board Procedures:**

1. The applicant will appear before a review board, the outline of which is as follows:
  - a. Resume – 25 maximum points
  - b. Evaluation – 20 maximum points
  - c. Sick History – 5 maximum points
  - d. Time in Service – Years x .2 points
  - e. Time in Grade (Supervisors) – Years in rank x .2 points
2. Review Board Make-Up:
  - a. The Review Boards for the Albany Police Department will consist of four (4) members and one (1) alternate. The posting for the Review Board will state the date that the oral interviews will convene.
    - i. Two (2) members designated by management will be of equal or greater rank.
    - ii. Two (2) union members chosen by the Board Chairman will be of equal rank or greater rank acceptable to the union.
    - iii. One (1) alternate, mutually acceptable to both management and labor that will be of equal or greater rank.
    - iv. Commanding Officer of the unit/division in which the opening exists will sit as the Board Chairman.
3. Resume:
  - a. Each applicant will be required to submit a resume with his/her application for the position applied.
  - b. Each applicant's resume will be evaluated in terms of his/her



experience, education, training, past assignments and commendations.

**4. Evaluation:**

- a.** Applicants will submit an Intra-Departmental Correspondence (IDC) to the Chief of Police announcing their desire to be considered for the posted position.
- b.** The applicant's immediate supervisor will complete an employee evaluation which will be submitted with the IDC.
- c.** Supervisors in submitting their evaluations should address the minimum qualifications stated on the job posting.

**5. Sick Time:**

- a.** The sick time history of an applicant will be reviewed by the board.
- b.** The submission of this information to the board members will be the responsibility of the individual's Unit Commander.
- c.** Each applicant must be aware when submitting their request for consideration that their sick history will be reviewed by all board members.

**6. Interview Demeanor:**

- a.** The applicant, during the interview process, will be evaluated on his/her appearance, stature, comfort and/or ease and their comfort in addressing the board, speaking abilities and language skills.

**7. Oral Interview:**

- a.** The questions for the oral interview will be drafted prior to the commencement of the interview process and the sources of these questions will be listed on the original posting.
- b.** The drafted questions will include the most appropriate answers. The answers will be supported by the documented sources and references.
- c.** Board members will have a complete set of questions, answers and cited sources for each individual applicant.
- d.** Each applicant will be asked the same questions. Board members should annotate on their question sheets the appropriate answers given.

**8. Seniority:**

- a.** Seniority breaks all ties.
- b.** Added to the normal point score of 100 points will be .2 of a point for every year on the job.
- c.** In addition .2 of a point will be added for each year in grade for supervisors.
- d.** This score can be broken down to have half ( $\frac{1}{2}$ ) year segments of .1 each.

- i. An example would be if an individual has 10 ½ years with the department, and he or she has 2 ½ years included in the 10 ½ as a supervisor, the additional points would be tabulated as follows:
  - a) 10 ½ years X .2 point per year (.1 per ½ segment) = years department total – 2.1 points.
  - b) 2 ½ years X .2 point per year (.1 per ½ segment) = years as Sergeant total -.5.
  - c) 2.1 + .5 = 2.6 points added total score for seniority.

**9. Scoring:**

- a. The following three sections of the selection scoring will be done prior to the oral interview and will be sealed in an envelope and given to the chairman of the Review Board prior to the oral interview.
- b. The number of questions for the oral interview is up to the board members. The number of questions will be divided into the maximum points for the oral interview.
  - i. Oral interview – 40 maximum points – e.g., ten (10) questions for the board will mean each question is worth four (4) points.
  - ii. Interview demeanor – 10 maximum points.
- c. The total maximum point process is 100 points plus time in service/time rank.
- d. The question sheet and the points for demeanor will be scored during the interview process and the numbers given to the chairman at the conclusion of each individual interview. The board members will sign the sheets that they give to the board chairman.

**10. Selection:**

- a. The total score of each board member for an applicant will be added together and divided by four (4). This average is the applicant's board rating.
- b. The highest average score is awarded the recommendation to the Chief of Police for the position. The second highest score is recommended to the Chief of Police as the alternate. In the event of a tie, the senior applicant shall be selected.
- c. The chairman at the conclusion of the selection process will insure a file is established for the board's records. This file will be maintained for six (6) months, or if there is a pending litigation, until that legal process is fully resolved. A master list reflecting each individual applicants standing on the board will be prepared and maintained in this file. Any applicant may review his/her portion of the file anytime, on request.

**D. Promotional Probation:**

1. Per Article 20.1 of the Albany Police Officers Union (APOU) Communications Collective Bargaining Agreement, upon transfer to a new title or subtitle within the Police Department, employees will be subject to a twelve (12) week probationary period in the new job title or subtitle.

**IV. PROMOTIONAL PROCESS FOR ALL OTHER NON-SWORN POSITIONS**

**A.** This section shall include the promotional process for the following non-sworn promotional positions:

1. Building Services Supervisor;
2. Chief Fiscal Officer;
3. Coordinator of Traffic Engineering;
4. Crime Analyst Supervisor;
5. Laborer Foreman;
6. Office Supervisor;
7. School Crossing Officer Supervisor; and
8. Social Worker Supervisor.

**B.** Non-sworn personnel are eligible to compete for a promotion when vacancies occur for which they may be qualified.

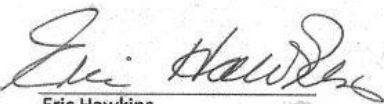
1. Whenever a job opening occurs in a non-sworn classification, or as a result of the development or establishment of a new job classification, a written notice of the promotional process shall be posted, as determined by the Chief of Police or, if applicable, as determined by the City Mayor.
  - a. During this period, employees who are eligible to apply for the open position may do so.
  - b. Application procedures shall be explained to eligible applying candidates; either verbally or in writing, as determined by the Chief of Police or, if applicable, as determined by the City Mayor.
2. Service time requirements for non-sworn promotions shall be determined by the Chief of Police or, if applicable, as determined by the City Mayor.
3. Length of service may also be considered as one of a number of factors affecting overall qualifications.

**C.** Notice of promotional opportunities in non-sworn job classes shall be published by the Office of the Chief or, if applicable, by the City Mayor

**D.** Applications may also be accepted from outside of the department.

1. All applicants outside of the department shall abide by the qualifications needed and application submission instructions outlined in the specific job posting.
  - a. For eligibility, applicants must meet the requirements as outlined in the specific job description.

- b.** Applicants may also be required to forward a resume and application for the desired position to the City of Albany, Department of Administrative Services, Room 301, City Hall, Albany, NY 12207, at the time of or before the specified deadline listed on the job posting.
- E.** All applicants outside and within the department shall undergo an interview process and/or a reference check, if required to do so.
- F.** Promotion and final selection of non-sworn personnel shall be at the discretion of the Chief of Police.



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