

<b>THURMONT POLICE DEPARTMENT</b>			
<b>GENERAL ORDER</b>	<i>Date Issued:</i> January 18, 2024	<i>Effective Date:</i> January 18, 2024	<i>Order No:</i> Chapter 27.A
<i>Authority: Chief of Police David Armstrong</i>			<i>Manual Page No:</i>
<i>Subject: <b>Promotional Process</b></i>			<i>Replaces Page No:</i>
<i>Accreditation Standard:</i> Chapter 34	<i>Distribution:</i> <b>ALL</b>	<i>Amends:</i> Previous Order	<i>Number of Pages:</i> 10
<i>This chapter is to replace Chapter 27.0 - Unable to remove 27.0 from Manual.</i>			<i>Rescinds:</i>

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

**I. PURPOSE:**

To specify procedures for conducting promotion processes for sworn personnel.

**II. POLICY:**

It is the policy of the Thurmont Police Department to give all qualified personnel the opportunity to compete in a fair, objective, nondiscriminatory, job-related promotion process, and to promote the most qualified individuals as identified by this process.

**III. DEFINITIONS:**

NONE

**IV. PROCEDURE**

The promotional process, as presented in this General Order, applies to all sworn ranks below Lieutenant in the Thurmont Police Department, and will be administered by the Deputy Chief of Police.

A. Agency Role

1. The Thurmont Police Department is responsible for the overall promotional process. The Chief of Police will ensure the process is job-related and non-discriminatory. The Deputy Chief of Police will coordinate, administer and score the testing of candidates for promotion. The Chief of Police will provide input on the various stages of the promotional process. This input may include providing material when a written test is to be administered. The Chief of Police will maintain primary responsibility for oral interviews and administration of the probationary periods.

**B. Authority and Responsibility**

1. The Chief of Police, or designee, is vested with the authority and responsibility for administering the promotional process within the Department.

**C. Eligibility**

1. Officer First Class:

Officer First Class is a rank designation earned by satisfactory evaluations, and: Entry Level Officers have completed (18) eighteen months of service from date of hire; Lateral Officers have completed (1) one year of service from date of hire, and have a minimum of one (1) year of previous law enforcement experience.

2. Corporal:

- a. Non Probationary officers will be eligible to participate in the promotional process for, to be promoted to, or be appointed to (in an acting capacity) the rank of Corporal after that officer has completed at least two (2) years of service and/or has served a minimum of (1) one year as Officer First Class. The Chief of Police may waive this requirement provided it is stated in the written order announcing the promotional process.

3. Other ranks:

- a. No officer will be eligible to participate in the promotional process for, to be promoted to, or be appointed to (in an acting capacity) any rank above the rank of corporal until that officer has completed at least (1) one year in the preceding rank. The Chief of Police may waive this requirement provided it is stated in the written order announcing the promotional process.

D. Elements of the Promotion Process

The procedures used for each element of the promotional process are:

1. Evaluation of promotional potential -
  - a. Each candidate's promotional potential is determined using a cumulative total score derived from personnel qualifications that include:
    - All previous annual performance evaluations
    - Education / Training
    - Police experience for years of service or time in grade as applicable.
2. The Promotional Process Announcement will inform all candidates of the Command / Supervisory personnel who will be reviewing personnel records to score each candidate's potential.
3. The ratings are intended to determine the candidate's promotional potential and will be included in the cumulative total point value attainable in all phases of the process.

E. Administration of Written Tests

1. The written test, if any, will be administered and scored by the Deputy Chief of Police.
2. The Chief of Police will review the test prior to its use to ensure that it is job related and non-discriminatory.
3. The Chief of Police will determine whether a written examination will be part of the promotion process, and will approve the format and content of examinations.
4. The Deputy Chief of Police will provide candidates a bibliography of the reading materials used as the source of questions to assist with preparation and study for the examination.

F. Oral Interview

1. At the direction of the Chief of Police, the Deputy Chief of Police will contact several allied law enforcement agencies in order to identify experienced

supervisory and/or command officials to participate in the oral interview process. The Deputy Chief of Police will contact these agencies as soon as practical after the announcement of a promotion process. At the time of this request, he will notify the allied agency of the rank for which the candidates are competing and any specific needs the Department may require from Board members. Under normal circumstances, the oral interview board will be comprised of at least three (3) experienced supervisory and/or command officials from outside the Department.

2. The interview board will use a uniform set of questions, rating scales, and standard forms for recording results of each candidate.
3. The Deputy Chief of Police will coordinate with members of the interview board to develop questions and time limits for the Interview Board Process. Guidelines for the testing process will be provided to the candidates at the time of the promotion process announcement.
4. The Chief of Police interview will be conducted as the final element in the promotion process. Uniform questions, time limits, rating scales and scoring forms will be used for all candidates.

#### G. Scheduling of Candidate Appearances Before the Board

1. The Deputy Chief of Police will schedule the promotion candidates for their interview by randomly selecting the names of the candidates eligible to appear before the Board, and listing their names on the interview schedule in the order in which the names are drawn.
2. In the event that a candidate receives a summons to appear in court on the date(s) on which the oral interviews are scheduled, he/she will immediately attempt to reschedule that court appearance. If he/she is unable to do so, the candidate will immediately notify the Deputy Chief of Police, **IN WRITING**, of their scheduling conflict. The Deputy Chief of Police will then select a time that resolves this conflict.
3. Candidates who experience a **SERIOUS** unexpected personal emergency, which precludes a scheduled appearance before the Board, must **immediately** notify the Deputy Chief of Police of the situation. The Deputy Chief of Police will determine how the conflict will be resolved. This decision is final, and the candidate will be guided by the instructions given at that time.

#### H. Appearance Before the Board

1. All promotion candidates will appear before the Board attired in accordance with the Special Order announcing the promotion process.
2. In the event that a candidate cannot appear in the attire described in the Special Order due to an obvious injury, i.e., broken arm, leg, etc., or other exigent circumstances, he/she must notify the Deputy Chief of Police who will resolve the issue.

I. Tiebreaker

1. Recognizing that after the entire promotion process is completed and the final scores of two or more candidates are the same, the Chief of Police will review each candidate's Personnel Evaluation, consider seniority, and consult with each candidate's supervisor(s) to determine the ranking order of each candidate on the Promotion Eligibility List. The Chief of Police will have the final authority.

J. Withdrawal from the Promotion Process

1. All candidates may *voluntarily* withdraw from the promotion process. Candidates who voluntarily withdraw from the promotion process will do so, **IN WRITING**, to the Deputy Chief of Police. A candidate may elect to withdraw at any time, up to, and including the commencement of the final component of the process. In response to a candidate's voluntary withdrawal, the Deputy Chief of Police will eliminate the candidate from the process, and that withdrawn candidate's scores will not be considered in the final scoring of the process.

K. Announcement of Promotional Opportunities

1. When vacancies exist in supervisory positions, and the decision to fill the position(s) is made, a written announcement will be posted by the Deputy Chief of Police. The announcement will include:
  - a. A description of the position for which vacancies exist;
  - b. A schedule of dates, times, and locations of all elements of the process;
  - c. A description of all eligibility requirements; and,
  - d. A description of the process to be used in selecting personnel for the vacancies.

L. Development of Eligibility Lists

An eligibility list will be established for each position open to competitive examination. All candidates competing in the promotional process will be ranked on an eligibility list according to their final overall score. (A **sample** of testing phases and scoring is listed below, but may be amended based on recommendations and a directive from the Chief of Police. All testing phases and scoring will be outlined in the Promotion Process Announcement.)

1. Written Examination – 70 points maximum

**OR**

2. Oral Interview Board – 70 points maximum

a. The oral interview board shall consist of three (3) members.

b. Members of the interview board

(1) Shall be certified law enforcement officials from other Maryland agencies.

(2) Shall hold a rank equivalent to or above the rank for which the interview is being conducted.

(3) Will not be associated with any of the candidates.

(4) The Deputy Chief of Police will coordinate the interview board.

(5) Questions will be approved by the Chief of Police prior to the interview.

(6) Each candidate will be asked the same questions.

3. Promotion Potential- -15 points maximum

Promotion Potential will be based on the review of each candidate's personnel file, education / training, and years of Law Enforcement Service. Command and Supervisory personnel assigned to evaluate and score each candidate's promotion potential will be identified in the Promotional Process Announcement.

4. Chief of Police Interview – 15 points maximum

Each areas of evaluation will be tabulated separately and combined to arrive at the overall score. Candidates will be advised of their scores in writing.

M. Use of Eligibility List

1. The eligibility list for promotion shall remain in effect for a period of one year. The Chief of Police may extend the period to one additional year if he desires.
2. Promotions to the ranks of Corporal and Sergeant will be from established promotional lists.
3. Members will be ranked on their respective promotional list based on their overall score.
4. Members will be selected for promotion based on their ranking on their respective promotional list, starting with the highest score and proceeding through the list in order of ranking.
5. Positions will be filled from the list as position openings occur during the effective period of the list.
6. Normally, there will be no promotional list established for the positions of lieutenant or captain as this is an appointed position by the Chief of Police.

N. Promotional Selection – “Right of Just Cause”

Because the Chief of Police is ultimately held responsible for the overall performance of the department, he must be allowed to use some discretion in promoting personnel from qualified candidates. “Just Cause” refers to any reason(s) which, in the judgment of the Chief of Police, precludes an individual from effectively carrying out the duties and responsibilities of the supervisory position to which a candidate is to be promoted. Should the Chief of Police exercise his authority for “Just Cause” and fail to promote a qualified candidate, he will notify the affected candidate in writing.

O. Appeals

1. Any candidate wishing to appeal any portion of the promotion process may do so by notifying the Chief of Police, in writing, within seven calendar days of the publication of the Eligibility List. The written appeal must include the

specific reason that the candidate's suggested remedy, and must be accompanied by all supporting facts and documentation. The Chief of Police will rule on each appeal and his ruling will be final. The candidate making the appeal will be notified of the appeal decision in writing.

P. Corrections

1. Throughout the entirety of the promotional process, should any party become aware of any issue that would conflict with the proper administration of the process, he/she must advise the Deputy Chief of Police of the issue as soon as possible so that it may be properly adjusted.

Q. Security and Retention of Testing Materials

1. Before, during, and after a promotion process, all material and documentation relating to the process will be maintained in a secure manner in the Office of the Chief. It will not be released to anyone except as necessary to administer the process, and in no case in a manner which will provide an unfair advantage for any candidate.
2. All material relating to any promotion process will be retained for the time period specified in the Record Retention Policy.
3. Any discussion/disclosure about the contents of promotional exercises by any candidate(s) participating in the process is strictly prohibited until all candidates have completed all exercises. Any such discussion/disclosure will result in the immediate disqualification of the candidate(s) involved, in and/or privy to the discussion/disclosure, and may result in disciplinary action.

R. Probationary Period

1. The probationary period is regarded as an integral part of the overall examination process. It is a period used by the Chief of Police to closely observe the member's work, for securing the most effective adjustment of a new employee to the position, and for rejecting or separating from service, an employee whose performance does not meet the required standards.
2. Individuals who are promoted to a higher rank will be in a "probationary" status for that position for a minimum of twelve (12) months. At the conclusion of the twelve month probation, the promotee will be evaluated by his/her immediate supervisor using a Performance Evaluation Report. If,

after the twelve month probation period the promotee's performance is determined by the Chief of Police to be satisfactory, the promotee will be notified, in writing, by the Chief, that he/she has satisfactorily passed the probation period.

3. In the event that, after review of the promotee's performance and discussion of his/her performance with the immediate supervisors in the promotee's chain of command, the Chief of Police believes an extension of the probationary period is warranted, he may extend it. The promotee will be personally informed of this decision and the reasons by the Chief of Police. The promotee will be provided remedial training or assistance as required and will continue to be evaluated quarterly during his/her probation extension. At the conclusion of the probation extension, the Chief of Police will determine whether the promotee will retain his/her position as a supervisor or will be returned to his/her former position in the Department.
  4. In the event that the Chief of Police determines that the promotee will return to his/her former position in the Department, he will meet with the individual to inform him/her of his decision and will provide a written explanation for this action to the individual.
- S. Examination Review
1. Candidates who participate in the written examination may review the test within five (5) business days following notification of test results. Candidates are NOT permitted to make copies of the test. The Deputy Chief of Police will coordinate the review process.

**ATTACHMENTS :**

**DOCUMENT DATES :**

*Amended Date: July 1, 2017*  
*Amended by: Lt. P.A. Droneburg*

*Review Date:*  
*Review Date:*

*Review Date:*

*Rescinds:*

*Order Written By: Chief Gregory L. Eyler*  
*Order Edited and Approved By: Chief Gregory L. Eyler*

*Accreditation Standards Included in this Order*  
*CHAPTER 34.1.1- 34.1.7*