



PROMOTIONS

General Order Number: 20.0

Effective Date: November 25, 2008

POLICY:

Promotion in rank within the Brookline Police Department is governed by Mass. Gen. Law, Chap. 31 (Civil Service Law), the rules and regulations of the Massachusetts Executive Office for Administration and Finance, Human Resources Division, and the policies and procedures of the department.

It is the policy of the Brookline Police Department to conduct the promotion process in a manner that meets both the letter and the spirit of all applicable laws, regulations and procedures. The Department shall request inclusion in promotional examinations for police captain, lieutenant, and sergeant every two years. Examinations will take place in the even number years. (Subject to HRD examination schedule)

PROCEDURES:

1. THE CIVIL SERVICE AND HUMAN RESOURCES DIVISION PROCESS:

(THE FOLLOWING IS AN OVERVIEW OF THE CIVIL SERVICE AND DIVISION OF HUMAN RESOURCES PROCESS. MEMBERS WITH SPECIFIC QUESTIONS ARE ADVISED TO REFER TO THE APPROPRIATE LAWS OR CONTACT THE DIVISION OF HUMAN RESOURCES.)

The promotion process is initiated by the Department when the Chief of Police requests from the Selectmen, who are the appointing authority, notification be made to the Division of Human Resources that a position is vacant and requests a list of eligible candidates.

The Division of Human Resources will then follow one of the following courses of action:

- A. CERTIFIED LIST:** The Division of Human Resources will supply the Chief of Police with a written list of personnel certified as eligible for promotion based upon a previous competitive examination.
- B. PROMOTIONAL EXAMINATION:** If no current certified list exists, the Division of Human Resources will schedule an examination to test for and certify those personnel who meet the legal standards, which have been established under Mass. Gen. Law, Chap. 31.

C. NOTICE OF EXAMINATION: Prior to any promotional examination, the Division of Human Resources will deliver public notices to the department. Such notices will be posted in locations throughout the police station. The department shall be responsible for notifying all eligible officers who may be on an extended absence due to sick or injured leave, vacation or other reasons. Officers are advised to fully acquaint themselves with the requirements of an examination as stated on the public notice, as it includes information on training and experience materials which must accompany the exam for grading purposes. The notice shall contain the following information:

1. The title of the vacant position;
2. A description of the duties of the position;
3. Where to inquire about the salary of the position;
4. The eligibility requirements;
5. A reading list of resource material upon which the test will be based;
6. The date of the examination; and
7. The location of the examination.

D. ELIGIBILITY: In order to be eligible to take the examination for the position of Sergeant a patrolman must have at least three years of experience. In order to take an examination for the position of Lieutenant or above, an officer must have at least twelve months of experience in the next lowest rank. An exception to this rule exists when less than four officers of this next lowest rank sign up for or take the examination. In this case, the examination is opened up to members of the next lowest rank with twelve months or more of experience.

E. WRITTEN EXAMINATION/TRAINING AND EXPERIENCE: A Civil Service Police Promotional Examination is scored in two areas:

1. The written test which pertains to material that is outlined in the reading list on the public notice; and
2. The training and experience information provided by the candidate.

F. MINIMUM SCORES: Each person who takes the test must score a minimum of 70% on the written portion to become eligible for the training and experience documentation to count towards a final grade. Officers who fail to attain the 70% will be so notified of their failure by the Division of Human Resources. For those who attain the minimum 70%, their final grade will be determined as follows:

G. WEIGHTS: The weights attributed to the written examination and training and experience are determined by:

1. Multiplying the written grade by a factor of 4;

2. Multiplying the adjudged grade on training and experience by a factor of 1;
3. Adding the two resulting figures together; and
4. Dividing the final figure by a factor of 5.

H. APPEAL PROCESS: Individuals desiring to appeal their grade may do so by notifying the Division of Human Resources within seventeen days of their receipt of their grade. Mass. Civil Service Law absolutely prohibits a candidate's right to review the answer key to written examinations; to review the written results of scored elements of selection process; contesting promotional potential reports used in the selection decision; and/ or reapplication, re-testing, and reevaluation following the results of an examination or selection. However, there is an appeal process that allows candidates to contest results and scores, as well as the selection if a "bypass" has occurred. This process is contained in Mass. General Laws Chapter 31 sections 2b (Duties of the Civil Service Commission to hear appeals); section 22 (Requesting the Civil Service Commission to review examinations, etc.) Section 23 (Commanding the Administrator to conduct reviews, etc., within six weeks); section 24 (Appealing the Administrator's, etc.). Section 70 prohibits inspection of examination papers. All officers should review and be familiar with these and other sections of Chapter 31 that may relate to the promotional process if they intend to take promotional exams.

I. DURATION OF LIST: A promotional list, once established, is valid for a period of not less than two years. The Chief of Police may not select any candidate for promotion whose name does not appear.

J. NOTIFICATION TO THE DIVISION OF HUMAN RESOURCES: Following the selection of an eligible candidate, the Chief of Police must report back to the Division of Human Resources on appropriate forms stating who was chosen. If the individual selected did not have the highest score, the Chief of Police must notify the Division of Human Resources of the reason(s) for their selection. The Division of Human Resources will review the material submitted and will certify the promotion(s) if appropriate standards have been adhered to. The appeal process remains open for those who would contest the reasons for which they were not chosen.

2. THE DEPARTMENT PROCESS: The Board of Selectman as the appointing authority has the responsibility of administering the department's selection process for all superior officers subordinate to the Chief of Police.

A. INFORMATION CONSIDERED: Once an eligibility list for promotion has been established, the Chief of Police will begin compiling information on potential candidates. This information is intended to assist the Chief of Police in his or her final decision on the appointment(s). It is the responsibility of the Chief

of Police to coordinate the entire process and to make a recommendation to the Board of Selectman, based on a thorough review of a candidate's record and whom he or she feels is the best candidate. It is the sole intent of this department to promote the best-qualified person for a job without personal animosity, prejudice or other unsubstantiated opinions being a part of the process. The information required for a fair, impartial and non-discriminatory evaluation shall consist of:

1. Performance in prior position(s);
2. Supervisory evaluation of employee performance in his or her present position;
3. Supervisory evaluation of the employee's promotion potential;
4. Sick leave record; and
5. The disciplinary record of the employee.

B. LATERAL ENTRY: The Brookline Police Department does not promote by lateral entry.

C. ORAL INTERVIEW: If the Chief of Police deems it necessary to conduct oral interviews pursuant to the promotional process, the interviews will include a list of uniform questions, which shall be asked of all candidates. Some candidates may be asked questions which are exclusive to that candidate depending upon personal history, work performance, sick record, answers to uniform questions, or for any other reason considered appropriate by the Chief of Police.

D. ACTIVITY REVIEW FOLLOWING PROMOTION: Massachusetts Civil Service law does not provide for a formal probationary period following promotion. The department has adjusted to this situation by designing a promotional process and policy that is intended to choose the most qualified certified candidate.

However, this will not eliminate the need for assisting and guiding the newly appointed individual as much as possible in adjusting to a command position and its commensurate responsibilities.

Therefore, during the first six months following promotion, the superior officer is encouraged to meet with their immediate superior no less than once every other week. The purpose of these meetings will be to discuss and review any situations, which may be causing the newly appointed superior any concern or problems. The immediate superior shall be responsible for providing guidance and direction regarding these matters, and to assist with any problems of mutual concern or interest.

E. The Chief of Police shall maintain security of all promotional materials utilized by this department.