

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NUMBER 2011-210

AN ORDINANCE TO PROVIDE FOR THE ADOPTION OF AMENDMENTS TO THE “CLAYTON COUNTY CIVIL SERVICE RULES AND REGULATIONS” AS IT RELATES TO THE CLAYTON COUNTY POLICE DEPARTMENT PROMOTIONAL PROCEDURES; TO AUTHORIZE ALL NECESSARY CHANGES IN THE CIVIL SERVICE RULES AND REGULATIONS REQUIRED TO REFLECT AND OTHERWISE IMPLEMENT THE AMENDMENT CONTEMPLATED IN THIS ORDINANCE; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENT NECESSARY TO ACCOMPLISH THE INTENT OF THIS ORDINANCE; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County has in place the Clayton County Police Department Promotional Procedures (the “Procedures”) which reflect the terms and conditions under which promotions are determined for eligible participants; and

WHEREAS, amendments to the Procedures are necessary to reflect changes relating to eligible participants and terms under the Procedures; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County and the County will be best served by adopting the amendments for the above-mentioned purposes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Clayton County Civil Service Rules and Regulations are hereby amended by deleting Appendix “A” entitled “POLICE DEPARTMENT PROMOTIONAL PROCEDURES” in their entirety, and in lieu thereof adopting the new Police Department Procedures, as more fully detailed in Exhibit “A” attached hereto and by reference incorporated herein.

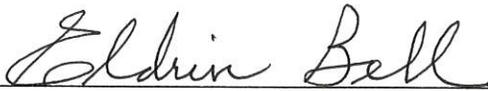
Section 2. The Board of Commissioners authorizes all necessary changes in the Clayton County Civil Service Rules and Regulations required to reflect and otherwise implement the

amendments contemplated in this Ordinance. Further, the Board of Commissioners authorizes the Chairman to execute any document necessary to accomplish the intent of this Ordinance.

Section 3. This Ordinance shall be effective upon its approval by the Board of Commissioners.

So Ordained this the 13th day of December 2011.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

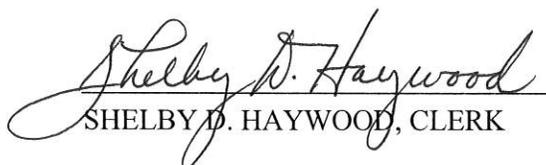

WOLE RALPH, CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK

POLICE DEPARTMENT PROMOTIONAL PROCEDURES

SECTION 1-1. ADMINISTRATIVE RESPONSIBILITY.

Except as may otherwise be provided herein, the Director of Human Resources for Clayton County, Georgia, shall have administrative responsibility for all matters relating to the promotional procedures for the Clayton County Police Department (CCPD).

SECTION 1-2. DEFINITIONS.

1. **Applicant:** Employees who assert they are eligible for promotion to the rank of Police Sergeant, Police Lieutenant, Police Captain, Police Major or Police Deputy Chief.
2. **Candidate:** Any candidate whose name appears on the promotional roster established for the rank for which he/she is competing.
3. **Police Chief:** The Chief Executive Officer within the Clayton County, Georgia, Police Department or his/her designee.
4. **Eligible:** Any applicant certified in writing by the Human Resources Director to participate in the applicable promotional procedure.
5. **Clayton County:** The governing body of Clayton County, Georgia unless the reading of these two words clearly indicates some other meaning.
6. **Human Resources Department:** The Human Resources Department of Clayton County, Georgia or any successor organizational unit.
7. **Human Resources Director:** The Chief Executive Officer of the Clayton County Human Resources Department, or any successor title or his or her designee.

8. **Police Department:** The Police Department of Clayton County, Georgia to include all sworn and non-sworn positions from entry level through that of Police Chief. Abbreviated as CCPD in this procedure.
9. **Promotional Cycle:** The sequence of activities which begins with the Human Resources Director's announcement of the schedule of activities for a competitive process for promotion to a specific rank, and which culminates with the establishment of a promotional roster.
10. **Promotional Roster:** The listing of candidates eligible to be promoted to a particular position after promotion process for a particular position has been administered.

SECTION 1-3. GENERAL PROVISIONS.

1. Separate eligibility requirements, promotional procedures, promotional rosters, selection procedures and other provisions relating to the ranks of Police Sergeant, Police Lieutenant, Police Captain, Police Major and Police Deputy Chief are specified herein.
2. The promotional ranks of Police Sergeant and Police Lieutenant shall have separate promotional rosters. Each of these rosters shall have a life or duration of twenty-four (24) months from the date of publication by the Director of Human Resources. In the event that the promotional roster for any competitive rank is exhausted before the normal twenty-four (24) month life of such roster, a new roster may be established through the regular promotional process.

3. The ranks of Police Captain, Police Major and Police Deputy Chief shall have a selection roster with a continuous life and new names shall be added to it as candidates satisfy the eligibility requirements.
4. Access to the Civil Service system is an expressed employee right and nothing contained within the provisions of these promotional guidelines and rules is intended to preclude an employee from the exercise thereof (adapted from section 11.101 of the Civil Service Rules and Regulations).
5. Nothing contained heretofore, herein, and hereafter vests any right nor recognizes any prior right to promotions through any particular system, established roster, or otherwise and such expectations are specifically disavowed.

SECTION 1-4. ELIGIBILITY FOR PROMOTIONS.

1. For Promotion to Police Sergeant.

- a) **Length of Service.** To be eligible to participate in the promotional procedure for Police Sergeant, the employee shall hold the position of police officer and shall have a minimum of thirty-six (36) months of continuous, active service with the CCPD subject to applicable leave laws.
- b) **Length of Service Calculation.** An employee who meets the length of service requirement, subject to applicable leave laws, on the day the announcement of the opening of the promotional process is made by the Director of Human Resources shall be deemed to have met the length of service requirement.

- c) **Probation Period.** In accordance with Civil Service Rules and Regulations, employees promoted to the rank of Sergeant shall serve a one (1) year probationary period.

2. For Promotion to Police Lieutenant.

- a) **Length of Service.** To be eligible to participate in the promotional procedure for Police Lieutenant, the employee must hold the rank of Police Sergeant and have satisfactorily completed twelve (12) months of continuous, active service as a Sergeant in the CCPD subject to applicable leave laws.
- b) **Length of Service Calculation.** An employee who meets the length of service requirement, subject to applicable leave laws, on the day the announcement of the opening of the promotional process is made by the Director of Human Resources shall be deemed to have met the length of service requirement.
- c) **Probation Period.** In accordance to Civil Service Rules and Regulations, employees promoted to the rank of Lieutenant shall serve a one (1) year probationary period.

3. For Promotion to Police Captain.

- a) **Length of Service.** To be eligible to participate in the promotional procedure for Police Captain, the employee must hold the rank of Police Lieutenant and have satisfactorily completed twelve (12) months of

continuous, active service as a Lieutenant in the CCPD subject to applicable leave laws.

b) **Length of Service Calculation.** The Director of Human Resources is the final authority for determination of length of service. The rank of Captain shall have a selection roster with a continuous life and new names shall be added to it as candidates satisfy the eligibility requirement. Once an employee has held the rank of police lieutenant for 12 consecutive months, he or she is automatically placed on the eligibility roster for Captain.

c) **Probation Period.** All employees promoted to the rank of Captain shall serve a one (1) year probationary period.

4. **For Promotion to Police Major**

a) **Length of Service.** To be eligible for selection to Police Major, the employee must hold the rank of Police Captain and have satisfactorily completed twelve (12) months of continuous service as a Captain in the CCPD subject to applicable leave laws.

b) **Length of Service Calculation.** The Director of Human Resources is the final authority for determination of length of service. The rank of Major shall have a selection roster with a continuous life and new names shall be added to it as candidates satisfy the eligibility requirements. Once an employee has held the rank of police captain for 12 consecutive months, he or she is automatically placed on the eligibility roster for Major.

- c) **Probation Period.** All employees promoted to the rank of Major shall serve a one (1) year probationary period.

5. For Promotion to Police Deputy Chief

- a) **Length of Service.** To be eligible for selection to Police Deputy Chief, the employee must hold the rank of Police Captain or Police Major and have satisfactorily completed twelve (12) months of continuous service as a Captain or Major in the CCPD subject to applicable leave laws.
- b) **Length of Service Calculation.** The Director of Human Resources is the final authority for determination of length of service. The rank of Deputy Chief shall have a selection roster with a continuous list and new names shall be added to it as candidates satisfy the eligibility requirements. Once an employee has held the rank of police captain or police major or any combination of the two for 12 consecutive months, subject to applicable leave laws, he or she is automatically placed on the eligibility roster for Deputy Chief.
- c) **Probation Period.** All employees promoted to the rank of Deputy Chief shall serve a one (1) year probationary period.

SECTION 1-5. PROMOTIONAL PROCEDURE FOR POLICE SERGEANT

- 1. **Eligibility List:** At least thirty (30) calendar days prior to the start of the promotional process, the Human Resources Director shall announce in writing all pertinent facts relating to the Police Sergeant promotional procedure. At the end of ten (10) calendar days following such announcement, the application period

shall be deemed closed and within another ten (10) calendar days, the Human Resources Director shall certify in writing the list of those eligible to participate. The Director of Human Resources will submit the list of certified candidates to the Chief of Police and will require posting of the list in the Police Department's daily bulletin for five days. In addition, the list shall be posted at each Police Department precinct and the Headquarters building.

The certified promotion list shall have a life of two years from the date of certification by the Director of Human Resources, unless otherwise determined by the Chief of Police.

2. **Selection from the List:** The Chief of Police may select from the certified promotion list any candidate for promotion who, in the Chief's discretion, meets the needs of the Department. In making this selection, the Chief of Police may consider, among other factors, the candidate's: (1) education; (2) on-the-job performance; (3) training, including a candidate's demonstrated willingness to acquire additional training which will help him/her in the job for which he/she is being considered; (4) disciplinary record; (5) leadership and supervisory abilities and leadership and supervisory potential; (6) ability to interact with the public and co-workers; and (7) experience (which does not necessarily equate to seniority).
3. **None of these factors are controlling.** A candidate's poor record under one factor may outweigh outstanding performance in all other areas of the job. Furthermore, selection of candidates is contingent upon the needs of the department. A candidate with a special set of skills may receive a promotion if

those skills are particularly needed, even when other candidates may appear to be more qualified according to the preceding factors.

SECTION 1-6. PROMOTIONAL PROCEDURE FOR POLICE LIEUTENANT.

1. **Eligibility List:** At least thirty (30) calendar days prior to the start of promotional process, the Human Resources Director shall announce in writing all pertinent facts relating to the Police Lieutenant promotional procedure. At the end of ten (10) calendar days following such announcement, the application period shall be deemed closed and within another ten (10) calendar days, the Human Resources Director shall certify in writing the list of those eligible to participate.

The certified promotion list shall have a life of two years from the date of certification by the Director of Human Resources, unless otherwise determined by the Chief of Police.

2. **Selection from the List:** The Chief of Police may select from the certified promotion list any candidate for promotion who, in the Chief's discretion, meets the needs of the Department. In making this selection, the Chief of Police may consider, among other factors, the candidate's: (1) education; (2) on-the-job performance; (3) training, including a candidate's demonstrated willingness to acquire additional training which will help him/her in the job for which he/she is being considered; (4) disciplinary record; (5) leadership and supervisory abilities and leadership and supervisory potential; (6) ability to interact with the public and co-workers; and (7) experience (which does not necessarily equate to seniority).
3. **None of these factors are controlling.** A candidate's poor record under one factor may outweigh outstanding performance in all other areas of the job.

Furthermore, selection of candidates is contingent upon the needs of the department. A candidate with a special set of skills may receive a promotion if those skills are particularly needed, even when other candidates may appear to be more qualified according to the preceding factors.

SECTION 1-7. PROMOTIONAL PROCEDURES FOR POLICE CAPTAIN, POLICE MAJOR AND POLICE DEPUTY CHIEF.

1. The Chief of Police or his/her designee(s) shall conduct interviews with all persons eligible for selection. The Police Chief shall select from among all candidates who have been interviewed. A candidate who has been interviewed within the previous twenty four (24) months need not be interviewed again prior to the Chief making a selection.
2. The Police Chief shall consider in making the selection (1) education; (2) on-the-job performance; (3) training, including a candidate's demonstrated willingness to acquire additional training which will help him/her in the job for which he/she is being considered; (4) disciplinary record; (5) leadership and supervisory abilities and leadership and supervisory potential; (6) ability to interact with the public and co-workers; and (7) experience (which does not necessarily equate to seniority).
3. **None of these factors are controlling.** A candidate's poor record under one factor may outweigh outstanding performance in all other areas of the job. Furthermore, selection of candidates is contingent upon the needs of the department. A candidate with a special set of skills may receive a promotion if those skills are particularly needed, even when other candidates may appear to be more qualified according to the preceding factors.

SECTION 1-8. EFFECT OF DISCIPLINARY ACTION.

1. No employee who has been suspended for more than three (3) days in the 24 months prior to the announcement of the promotion process for sergeant or lieutenant shall be eligible to participate in that promotional process.

SECTION 1-9. LATERAL ENTRY FOR QUALIFIED APPLICANTS

Although the Department prefers to promote from within, there may arise conditions which will necessitate the lateral entry of a new employee at a supervisory or managerial rank. Lateral Entry is at the discretion of the Chief of Police who will consult with the Director of Human Resources regarding job posting or any other issues with the lateral entry. The following procedures will govern lateral entry:

1. Lateral Entry as a Police Sergeant: An applicant for employment with the CCPD who holds Supervisory Certification from the Georgia Peace Officer Standards and Training Council and who has no less than five years of law enforcement service and at least two of those years as a police sergeant or equivalent, and who holds at least an associate's degree, may be hired into the CCPD as a Police Sergeant at the discretion of the Chief of Police.
2. Lateral Entry as a Police Lieutenant: An applicant for employment with the CCPD who holds Supervisory Certification from the Georgia Peace Officer Standards and Training Council and who has no less than seven years of law enforcement service and at least two of those years as a police lieutenant or equivalent and two as a police sergeant or equivalent, and who holds at least a bachelor's degree, may be hired into the CCPD as a Police Lieutenant at the discretion of the Chief of Police.

3. Lateral Entry as a Police Captain: An applicant for employment with the CCPD who holds Management Certification from the Georgia Peace Officer Standards and Training Council and who has no less than ten years of law enforcement service and at least six years in a supervisory or management position which must include no less than two years as a police captain or equivalent, and who holds at least a bachelor's degree may be hired into the CCPD as a Police Captain at the discretion of the Chief of Police.
4. Lateral Entry as a Police Major: An applicant for employment with the CCPD who holds Management Certification from the Georgia Peace Officer Standards and Training Council and who has no less than twelve years of law enforcement service and at least six years in a supervisory or management position which must include no less than two years as a police captain or major or equivalent, and who has at least a bachelor's degree may be hired into the CCPD as a Police Major at the discretion of the Chief of Police.
5. Lateral Entry as a Police Deputy Chief: An applicant for employment with the CCPD who holds Management Certification from the Georgia Peace Officer Standards and Training Council and who has no less than fifteen years of law enforcement service and at least ten years in a supervisory or management position which must include no less than two years as a police captain or major or deputy chief or chief or equivalent, and who has at least a bachelor's degree may be hired into the CCPD as a Police Deputy Chief at the discretion of the Chief of Police.

6. Any applicant who is hired in as a lateral entry shall serve a one (1) year probationary period.

SECTION 1-10. REVIEW OF PROCEDURES.

Within twenty four (24) months from the date that this document is adopted by the Board of Commissioners, the Director of Human Resources and the Chief of Police will review these procedures and make any suggestions for changes to the Civil Service Board and the Board of Commissioners. The procedures adopted in this document shall remain in effect until such time that the Civil Service Board and the Board of Commissioners approves a new set of procedures.