

 Lexington Police Department	<u>Subject:</u> Promotion of Sworn Officers				<u>Policy Number:</u> 34A	
	<u>Accreditation Standards:</u> <u>Reference:</u> 34.1.1; 34.1.2; 34.1.3; 34.1.5; 34.1.6; 34.1.7				<u>Effective Date:</u> 1/1/12	
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	<u>Revision Dates:</u>	1/24/19	5/31/20	7/1/21		
<u>By Order of:</u> Michael A. McLean, Chief of Police						

The Municipal Police Institute, Inc. (MPI) is a private, nonprofit charitable affiliate of the Massachusetts Chiefs of Police Association. MPI provides training and model policies and procedures for police agencies. This policy is an edited version of MPI Policy 4.XX, "Promotions."

GENERAL CONSIDERATIONS AND GUIDELINES

This policy applies to the promotion of sworn personnel only. The Lexington Police Department's commitment to developing employee skills, to accept increasing levels of authority, responsibility and leadership is embodied in the promotional process. Eligible candidates have an opportunity to apply and participate in the promotional process as positions become available as set forth in this policy. When staffing permits, we encourage officers that are not eligible for promotional to participate in the process. This is an opportunity for newer officers to learn from the experience.

Promotions are based upon an individual's merits and performance in the promotional process and never on favoritism. A promotion is an investment in the future, not only for the Department and the community but also for the employees who will be supervised and guided by the promoted member.

- It is the policy of the Lexington Police Department to promote employees based upon their training, experience and job performance.
- No employee will be denied promotion based upon discriminatory criteria, including, but not limited to, their sex or sexual orientation, age, race, religion, nationality union membership or other trait.

PROCEDURES

A. Definitions

1. **Appointing Authority**: The Town Manger is the appointing authority with the power to appoint or employ personnel for the Lexington Police Department.
2. **Bypass**: The selection of a person whose name, by reason of score, appears lower on the list than another person(s) who is not appointed and whose name appears higher on the list.
3. **Eligibility Verification**: The Captain of Administration along with the Human Resource (HR) Director will verify each individuals years of service to confirm eligibility.
4. **Promotional Process Manager**: The Captain of Administration is the Chief's designee as the promotional manager.
5. **Time in Grade**: The number of years and months that an employee has held in a specific rank or pay grade.

B. Promotional Process

1. Generally
 - a. The Promotional Process Manager will notify employees of the promotion process. [\[34.1.1\]](#)
 - b. For the rank of Sergeant and Lieutenant an assessment center including a written exam will be used to establish a candidate list.
 - c. For the rank of Captain and Chief an assessment center exercises shall be used to establish a candidate list.
 - d. All testing results will be reported to the appointing authority.
2. Promotion Process Manager: The Captain of Administration shall manage and coordinate promotions and shall have the authority necessary to carry out the duties of the position. The duties shall include the following: [\[34.1.2\]](#)
 - a. Be knowledgeable of the promotional process for all employees;
 - b. Provide and post all written announcements of scheduled promotional opportunities; [\[34.1.5\]](#)
 - c. Maintain information regarding eligibility requirements for all positions above entry level;
 - d. Maintain active promotional lists;
 - e. Coordinate with agencies or entities involved in the promotional process; and
 - f. Protect the integrity of the promotional process by ensuring that promotional materials, documents, scores, and completed evaluations remain confidential and in a secured environment.

- i. Interview forms and assessment center materials related to the conduct of an assessment or interview are controlled items and will not be copied, scanned, photographed or reproduced unless expressly directed by the Chief of Police and/or HR Director.
- ii. Testing and scoring materials shall not be left unattended. Materials not under the immediate and direct control of a person authorized to possess them shall be maintained in a secured area approved by the Promotion Process Manager. [\[34.1.3\(h\)\]](#)
- iii. Such materials may only be reviewed by the Chief of Police or a designee with specific authorization from the Chief of Police.
- iv. Promotional materials shall be retained for at least 3 years. Once a promotional process has been completed, all appeals have been exhausted or appeal periods have expired, promotional materials shall be destroyed by shredding unless necessary for on-going litigation. These include:
 - (a) Interview questions and score sheets;
 - (b) Assessment Center questions, exercises, evaluations and other related materials; and
 - (c) Any other materials of a confidential nature.

- g. The HR Director with input from the Chief of Police shall coordinate with any companies or consultants contracted to participate in the promotion process.

3. Notice of the Promotional Process [\[34.1.5\]](#)

- a. The Town of Lexington is responsible for establishing a testing process through an assessment center, which may also include a written exam or exercises.
- b. When the appointing authority requests a promotional exam, the Promotion Process Manager shall be notified and shall inform all affected employees of such request.
- c. The Promotional Process Manager shall advise all eligible personnel by:
 - i. Immediately posting the notice on bulletin boards throughout the police station;
 - ii. Forwarding the notice for the Sergeant's promotional process to supervisors to be read at roll call;
 - iii. Using any other reasonable means of communicating with eligible employees (i.e. e-mail); and
 - iv. A signed acknowledgement of the notice should also be obtained from each candidate.
- d. The Promotional Process Manager shall send e-mail to all affected personnel advising them of the date and time of the exam, last date for applying, and location of the posted notice. Officers out sick or injured,

on administrative or other leave, or on active military duty, or otherwise not likely to receive notice shall be mailed (to their home address on record) a copy of the examination notice.

4. Eligibility: To be eligible for promotion to each successive rank: [\[34.1.3\]](#)
 - a. An officer must be a permanent Police Officer employed by this Department. [\[43.1.3\(g\)\]](#)
 - b. Time in Grade: **Sergeant**: An officer must have three (3) years of service as a police officer. Officers who have lateraled to Lexington must also have three (3) years' experience with at least one year as a Lexington officer. For the rank of **Lieutenant, Captain or Chief** no additional time in grade is required. [\[34.1.6\(c\)\]](#)
 - c. A quorum of four (4) is required. If a quorum cannot be achieved from the immediate lower grade, the exam will be opened to the next grade until four (4) eligible employees have applied, or the exam has been open to all permanent officers. If four eligible employees have applied, a minimum of three (3) must take the exam.
 - d. Ineligible officers will not receive an official testing score and will not appear on a promotional candidate list. [\[34.1.3\(f\)\]](#)
5. Promotional Examination: The promotional examination and/or other testing components shall be established or approved by the Town Manager or HR Director. [\[34.1.3\(b\)\(c\)\]](#)
6. Assessment Center [\[34.1.3\(c\)\]](#)
 - a. A contractor authorized by the Town Manager or a designee, with input from the Chief of Police, shall conduct the Assessment Center portion of the promotional process.
 - b. Assessment Center procedures, topics to be tested, scoring, time, date and location of the exam shall be approved by the Appointing Authority or designee.
 - c. Every reasonable effort shall be made to ensure that candidates being evaluated have the opportunity for time off from the shift just prior to the assessment center (or any subsequent interviews).
 - d. The contractor and/or HR Director shall secure completed assessment materials.
 - e. A cumulative score will be reported to each candidate after all candidates have been tested. Absent any delay caused by test appeals, it is not uncommon for test scores to be available within two weeks of the testing date.

7. Promotional Components [34.1.3(a); 34.1.6(a)]

a. Sergeant, Lieutenant, Captain and Chief

i. Testing Components

- (a) Assessment Center/Written exam
- (b) Veterans who pass the exam shall receive two additional points to their score, OR
- (c) An officer with 25-years of experience as a police officer will receive two additional points added to their passing score. Two points for item (b) cannot be combined with these points.
- (d) The maximum test score for the Sergeant's exam is 102 points.
- (e) Officers testing for Lieutenant, Captain or Chief may receive experience points. Working 950 hours out-of-grade will result in one (1) additional point. Working 1,900 hours out-of-grade will result in two (2) additional points. The maximum score for the Lieutenant, Captain and Chief tests is 104.

ii. Other Components

- (a) Oral Interview.
- (b) Significant weight will be given to training, experience and job performance, including all relevant work experience both inside and outside of the Department and all relevant education.
- (c) Length of service will be considered.

iii. Testing material may include: Criminal procedures; criminal and motor vehicle law; Department policies, procedures, rules and regulations; and other materials relevant to police supervision and management. Questions on case law, statute law and policy and procedure will not take into account any changes occurring within 90-days prior to the exam. Testing exercises for an assessment center shall be selected from, but not limited to the following:

- a) Handling a one-on-one complaint or interview
- b) Tabletop exercises or scenarios
- c) Event planning
- d) Participation in a group discussion or meeting
- e) Addressing the media or public forum
- f) Timed question and answer of common job knowledge or event

- g) In-basket exercise
- h) Command team meeting
- i) Take home/overnight written assignment
- j) Short answer and/or essay

8. Establishment of Eligibility List

- a. A list of eligible candidates shall be established and ranked by the company or consultant contracted through the Appointing Authority. [\[34.1.6\(b\)\]](#)
- b. Such list shall be in effect for a two-year period. The appointing authority, with input from the Chief of Police, may extend the list up to three years. [\[34.1.6\(d\)\]](#)

9. Candidate Interviews [\[34.1.3\(d\)\]](#)

- a. Panels appointed by the Chief of Police or a designee will conduct candidate interviews.
- b. Interviews will be conducted by panelists from a prepared list of questions and individually scored by each member of the interview panel.
- c. The Chief of Police or designee will prepare questions and keep them strictly confidential. They will not be shared with the interview panel until shortly before the interviews.
- d. A consensus should be agreed upon by panelists regarding each candidate's performance after all candidates have been interviewed. The information shall be forwarded to the Chief of Police.
- e. The Promotion Process Manager shall secure all materials from individual panelist to ensure confidentiality.

10. Candidate Selection [\[34.1.6\(e\)\]](#)

- a. The Chief of Police shall recommend appointments from the list of eligible candidates to the appointing authority, in order of preference.
- b. In creating a recommendation, the Chief of Police will consider, but not be limited to:
 - i. Experience, including special duties, education and training history;
 - ii. The results of the candidates Interview;
 - iii. The candidates understanding of the supervisory role;
 - iv. The candidate's sense of self-awareness;
 - v. Past performance of the candidate including, but not limited to, performance evaluations, disciplinary actions, sick leave and other attendance issues.

- vi. The candidates understanding of the police department's responsibilities to the community.

11. Final Selection: the appointing authority shall determine a final selection of candidates for promotion.

12. Candidate Bypass and Appeal [\[34.1.3\(e\)\]](#)

- a. Any officer who is bypassed for promotion will receive a written explanation that specifically describes the reasons for the bypass. A bypass is when a candidate is not selected for promotion and a candidate with a lower test score is appointed.
- b. The Captain of Administration will meet with any officer who is not selected after the final interview process to discuss professional development.
- c. In the event of tied test scores, there is no bypass if one of the candidates is selected.
- d. The Town Manager shall provide a hearing for claims that the promotion process was not properly followed. ***The Town Manager's decision may be appealed to an arbitrator with the restriction that the arbitrator's ruling may not exceed the authority granted to the HRD within M.G.L. Chapter 31.***

13. Probationary Period: There is no probationary period for promotions. [\[34.1.7\]](#)