

## **3-02/010.45 - Civilian Staffing Policy**

In order to ensure that all Department managers are being consistent in following the Sheriff's staffing directives, certain procedural policies must be adhered to and supported by all those involved in personnel decisions. As a result, the following staffing guidelines must be followed when filling a vacant position.

### Section I- SUPERSEDING TRANSACTIONS

The following four conditions should be considered over other staffing alternatives in sections II and III when filling a vacant position.

#### Re-employment Lists

When an employee is reduced or released from county service due to layoff, he/she is placed on a reemployment list for appointment or reappointment to a position from that list.

Re-employment lists supersede any other form of appointment, including those to lower levels. Lists from different departments or completed at different times for the same class of position shall be combined into a single list.

Such lists shall be used by every appointing power when a vacancy arises in the same or lower class of position before certification is made from an eligible list. Re-employment lists are active for one year.

#### Medical Accommodations

The Department should attempt to accommodate employees who have medical restrictions. Employees requesting a position change due to medical reasons, may demote or administratively reassign to a position in which they can perform the job essentials and meet the minimum requirements, provided accommodations can be made. When applicable, the Disability Management and Compliance Unit should be involved in the coordination of such personnel transactions. This is a requirement of the Americans with Disabilities Act.

#### Recognized Department Training Positions

Employees who do not complete recognized Department training programs, i.e., deputy sheriff trainee, communications operator I, station desk operations trainee, or custody assistant, may demote or administratively reassign to a position in which they meet the minimum requirements. This would require the approval from the division chief or division director who would be the recipient of the demoted employee.

#### Demotion Due to An Unsatisfactory Probation Report

Second-time county probationers who fail or are failing probation, may be demoted to the last previously held position or comparable position in which they meet the minimum requirements. This would require the approval from the division chief or division director who would be the recipient of the demoted employee.

### Section II- EQUAL LEVEL TRANSACTIONS

The following personnel transactions are equally appropriate for consideration when filling a vacant position;

however, these transactions should not be pursued unless all of the above conditions identified in section I have been considered.

PRIOR TO STAFFING A VACANCY, WITH THE EXCEPTION OF VACANCIES AT THE LEVEL OF DIRECTOR AND ABOVE, EACH UNIT WILL MAKE AN ANNOUNCEMENT THROUGH A DEPARTMENT ELECTRONIC MAIL MESSAGE RELAYING THE VACANCY'S CLASSIFICATION AND SPECIFYING DETAILS OF WHAT THE JOB DUTIES ENCOMPASS.

### Certification Lists

Promotion from a promulgated certified list which is the same classification as the vacancy.

All appointments to positions for which that examination was given shall be made from the highest ranking group on such lists, except that when the highest ranking group (e.g., Band I) does not include at least five persons who are available for appointment, then the appointment may be made from the next lower group (e.g., Band II) to include at least five persons.

If selecting from a certification list and only four persons or fewer remain on the certification list, unit commanders are advised to submit an examination request to Personnel Administration Bureau for commencement of another examination for that classification.

When a unit does not select candidates from a certification list, specific reasons for non-selection must be documented and provided to Personnel Administration Bureau for verification prior to subsequent referrals being made from lower bands of the same certification list. Reasons for non-selection will be scrutinized and, where inappropriate, will not constitute clearing the certification list.

The following reasons are appropriate when clearing a certification list:

- Candidate has already been selected/appointed;
- Candidate does not reply to official notice;
- Non-selection by unit (4 non-selections allowed per unit per certification list);
- Candidate temporarily refused due to location, hours or unavailability at time of contact (candidate will continue to be referred out to other units of assignment); and/or
- Candidate permanently refuses the position (candidate will no longer be referred out).

In most cases, certification lists will be cleared through Band 5; however, after one year from the date of promulgation, Personnel Administration Bureau will review the certification list to evaluate the appropriateness of certifying a new list through the examination process.

Lateral transfers have to be selected from the same class as that of the vacant classification. Sheriff's Department members seeking a transfer should be given appropriate consideration before entertaining resumes from personnel outside the Department. Intra-Department lateral transfers must occur within 30 days from date of request. An employee may be held up to an additional 30 days for hardship reasons if both

division chiefs or division directors concur.

Lateral transfers from other county departments being considered to fill a vacancy at the salary-level of Operations Assistant III, Employment Services Assistant III, or higher will require the Sheriff's approval.

#### Administrative Reassignment

An employee desirous of administratively reassigning from one position in one class to a position in another class may do so provided the employee meets the minimum requirements for the requested position. An administrative reassignment can only occur if two positions are within one salary schedule (2.75 percent on the standard salary schedule grid). An employee can be administratively reassigned without being appointed from a certification list.

#### Restoration

After approval by the captain of Personnel Administration Bureau, an employee may be restored at any time to any position in which he/she previously held by virtue of an appointment from an eligible list, or to any position for which a transfer or reassignment would be authorized by Civil Service Rules (#17), provided service has been continuous or that any break in service since holding such position has been followed by reinstatement or appointment from a re-employment list.

Restoration to positions at the salary schedule level of Operations Assistant III or higher will require Sheriff's approval.

#### Voluntary Demotion

An employee desirous of reducing in rank shall submit in writing to the captain of Personnel Administration Bureau such a request to fill the vacancy. The employee must meet the minimum requirements of the requested position.

### Section III- TRANSACTION REQUIRING SHERIFF'S APPROVAL

Unless the Sheriff has authorized an exception based on unique circumstances of a particular personnel action, the following personnel transactions will not be authorized when filling a vacant position.

#### Inter-Department Lateral Transfers

Inter-Department lateral transfer at the salary schedule equating to Administrative Assistant III or higher.

#### Promotion/Administrative Reassignment

One-day promotion to a higher level position and subsequent administrative reassignment to equal level position.

#### Promotion/Demotion

One-day promotion to a higher level position and subsequent voluntary demotion.

Restoration/Administrative Reassignment

One-day restoration to a position in which an employee held status and subsequent administrative reassignment.

Restoration/Voluntary Demotion

One-day restoration to a position in which an employee held status and subsequent voluntary demotion.

Restoration/Reinstatement

Restoration or reinstatement at the salary schedule equating to Administrative Assistant III or higher.

Freeze to Create (See Note 1)

Freezing an item(s) to create a lower level position will not be authorized, except where the entry level position is an established training position or a related position for training purposes as identified below (see note 2).

(An example of freeze to create for a related position: Sheriff's Station Clerk II frozen to create a Sheriff's Station Clerk I, Senior Typist Clerk, Work Processor I, Intermediate Stenographer, or Intermediate Typist Clerk.)

- Accountant III for related positions
- Automated Fingerprint I.D. System Tech II for Automated Fingerprint I.D. System Tech I
- Communications Operator II for Communications Operator I
- Custody Records Clerk II for Custody Records Clerk I
- Custody Records Clerk I for related positions
- Departmental Personnel Assistant for Records Tech I
- Medical Records Tech. II for Medical Records Tech I
- Medical Records Tech I for related positions
- Records Systems Clerk II for Records Systems Clerk I
- Records Systems Clerk related positions
- Sr. Departmental Personnel Assistant for related positions
- Sr. Laundry Worker for Laundry Worker
- Sheriff's Station Clerk II for related positions

- Station Desk Operations Assistant for Station Desk Operations Trainee
- Crafts Supervisors for related positions
- Crafts Working Supervisors for related positions
- Forensic Identification Specialist II for Forensic Identification Specialist I
- Senior Criminalist for Criminalist

Personnel Administration Bureau will review requests for freeze to create transactions and determine if the created position is a related position (for training purposes) to the position being frozen.

**NOTE 1:** This does not preclude freezing sworn items to create civilian items, provided the civilian position is staffed according to this policy and is an appropriate classification for the specific organization as concurred with by Personnel Administration Bureau.

**NOTE 2:** Certification lists should be considered prior to staffing a vacancy before a decision is made to freeze down a position for a related position. Any exceptions to this Staffing Policy must have the Sheriff's approval.

#### Unit Employee Release

Department employees selected from a promotional list for promotion and change of assignment shall be released from their current unit of assignment within 14 calendar days.

The current unit of assignment shall release an employee who has requested a transfer within 30 days when the employee is acceptable to the requested unit. An exception to this 30-day rule will apply when such a transfer will create an extreme hardship to the current unit of assignment. Exceptions shall be submitted via a memo, through channels, to the employee's division chief or division director, who shall notify the requesting unit's division chief or division director that a hardship will not permit a transfer within 30 days. The unit commander will ensure that the employee is advised of any transfer delays.

---