



GENERAL ORDER

Number: 209
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Subject: Promotions
Date: 15 May, 2006
Distribution: All DOS
Employees

I. PURPOSE:

To establish policy and procedures for the employees of the Tennessee Department of Safety regarding the promotional processes for all career service positions.

II. POLICY:

It shall be the policy of the Department of Safety to promote qualified employees in accordance with the State Department of Personnel Rules and Regulations. It shall further be the policy of the Department to ensure that all elements used to evaluate candidates for promotion are job-related and nondiscriminatory. The Department of Safety provides equal employment opportunities to all employees without regard to race, color, national origin, age (over 40), sex, pregnancy, religion, creed, disability, veteran's status or any other category protected by state and/or federal civil rights laws. It shall be the responsibility of the Director of the Department of Safety's Human Resources Division and his/her staff to administer promotional processes.

III. DEFINITIONS:

- A. Appointing Authority – An officer having power to make appointments to and separations from positions in the State service. For purposes of this General Order, the appointing authority shall be the Commissioner of the Department of Safety.
- B. Class Specification – A description of a class of positions including title, duties, authority, responsibilities, minimum qualifications and the relative weights of examination parts.
- C. Promotion – A change in status of an employee from a position in one (1) classification to a position in another classification having different duties, authority, responsibilities and a higher salary rank.
- D. Register – A list of names of persons attaining an examination score of seventy (70) or greater for a class of positions.

- E. Statewide Promotional Register – A promotional register contains the names of available applicants who are career employees, and who have a current performance rating of marginal or higher, listed in rank order of promotional examination scores. Appointments made from this register must be made from the three (3) highest ranking applicants, plus any other applicant, with a score equal to the score of the third ranked applicant. Registers that contain less than three (3) applicants do not have to be considered. Veteran's points are not considered on promotional registers.
- F. Subsequent Probation – Any probationary period served by an employee in an agency after the successful completion of an initial probationary period in that agency or after the employee becomes a career employee in that agency.
- G. Transfer – A change from one (1) position in a classification to another position in the same classification.

IV. PROMOTIONAL PROCESS PROCEDURES FOR CIVIL SERVICE THP SERGEANT / LIEUTENANT POSITIONS:

The promotional process for civil service THP Sergeant / Lieutenant positions is a two-tiered system consisting of qualification for placement by examination on the civil service register and competing from the civil service register.

- A. Qualifying for Examination
 - 1. Written examinations and oral interviews will be conducted as often as practical and at the direction of the Commissioner of the Department of Safety. All prospective members seeking the rank of Sergeant or Lieutenant will complete these components.
 - 2. Any commissioned member seeking promotion must satisfy all prerequisites for the position sought as specified on the Class Specification in the Minimum Qualifications section before being considered eligible for examination. Class specifications can be found at www.state.tn.us/personnel.
 - 3. The Human Resources Division of the Department of Safety, in conjunction with the Department of Personnel, shall have the responsibility of ensuring that procedures used for promotions are job-related and non-discriminatory. External influence on promotions is strictly forbidden. (See General Order 264, entitled Political Activity).
 - 4. Prior to initiating promotional testing, a written notification of Sergeant/Lieutenant testing shall be distributed. The notification shall be posted on the TDOS intranet, in common work areas at each Division/District Headquarters and by global inter-agency electronic mail. Said notification shall include, at a minimum;
 - a. Job classification, pay grade, pay scale, minimum qualifications, skills, knowledge, and ability required;

- b. Application process; and,
 - c. Closing date for making application.
5. Written promotional examinations will consist of subject matter gathered from the following sources:
- a. Tennessee State Statutes;
 - b. Department General Orders and Directives; and,
 - c. Other publications pertinent to law enforcement that is available to all members.
 - d. A source materials list will be provided to affected members that will disclose a more specific list of source materials. The list will be provided at least thirty (30) days prior to the examination date.
 - e. Make-up tests will be offered to members who have been properly excused by the Commissioner, and will be given at a time and location established by the Human Resources Division for a make-up test.
6. Admission to the testing process shall consist of the following steps:
- a. The State Department of Personnel will verify the experience of each applicant; and,
 - b. The Human Resources Division of the Department of Safety will verify the education of each applicant;
- 7.. A written examination will be administered by the State Department of Personnel. Examinations will be conducted in locations throughout the State as necessary for the convenience of applicants and as practical for proper administration; and,
8. A designated panel consisting of State Police or Highway Patrol Law Enforcement Officers from surrounding state agencies will conduct oral examinations.
9. The State Department of Personnel will determine a final examination score for each applicant in accordance with the weights established on the announcement of the examination.
10. The State Department of Personnel will notify applicants by mail of their examination results as soon as scoring has been completed.
11. The State Department of Personnel will establish a promotional register, and a roster of applicant names, for each career service job classification.

12. All Sergeant/Lieutenant Final Earned Ratings (FER) and promotional points shall be posted on the TDOS intranet (<http://intranet.state.tn.us/safety>) at the beginning of the promotional cycle..

B. Competing from the Civil Service Register

1. To initiate a promotional cycle, a listing of Sergeant/Lieutenant vacancies shall be posted on the TDOS intranet (<http://intranet.state.tn.us/safety>), in common work areas at each Division/District Headquarters, and by global inter-agency electronic mail. The list of vacancies shall be posted in sequential order from oldest to most recent vacancy. The list of vacancies shall be posted for review for fourteen (14) calendar days. Said notification shall include, at a minimum;
 - a. Position Title;
 - b. Position Number;
 - c. Position District/Division and Work County;
 - d. Brief Job Description; and,
 - d. Closing date for making transfer requests.
2. During the posting period, all employees in the current rank who are interested in transferring to an announced vacant position shall submit a Request For Transfer (SF-0117) to the Colonel's Office for consideration, according to the guidelines set forth in General Order 215, prior to the closure of the fourteen (14) day announcement period.
3. At the close of the announcement period, the Colonel will begin consideration of all transfers requested for announced vacancies.
4. If any of the announced vacancies are filled by a transfer, the newly vacated position will be posted during the next promotional cycle.
5. Any position not filled by a transfer will have a statewide promotional register **for each position** initiated except for positions in Specialized Units (i.e., Executive Security, Special Operations, Aviation, CIRT, Internal Affairs, Professional Standards and Ordnance, etc.), which require special certifications/knowledge/skills. In the aforementioned units, a statewide promotional or unit promotional register may be utilized.
6. Positions will be filled sequentially, beginning with the oldest vacancy and continuing through the most recent vacancy. Each register will be based on the county location of the billeted position. The register will consist of all applicants who indicated on their job applications either: willingness to work in any county in Tennessee or willingness to work in the county where the position is located.

7. Top applicants will be notified by the Human Resources Division of the Department of Safety in writing for the position(s) available.
 - a. The notification will consist of: specific job classification, pay grade, pay scale, district, division, work county, brief job description, etc.
 - b. Each contacted employee will have seven (7) calendar days to reply in writing by completing the "Intent To Interview" response which is attached as the second page in the notification to his/her desire to be considered for the position.
 - c. Any correspondence postmarked or date stamped after the expiration of the seven (7) day requirement will not be considered.
 - d. Applicants will be removed or made inactive on the register if he/she fails to respond in writing within seven (7) days of the date of the notification.
 - e. Applicants will NOT be removed from the register for declining interviews for positions in which they are not interested.
 - f. After receiving the "Intent To Interview" response, only the top candidates will be notified by the Human Resources Division of their scheduled date, time and location for the interview. Please note more letters are sent out than interviews granted. This notification will be made in writing and be delivered by U.S. postal service and electronic mail. (Reference :Statewide Promotional Register: in Section III).
8. Interviews will be conducted by a selected Promotional Panel which shall consist of:
 - a. The Lieutenant Colonel;
 - b. The Major over the District/Division in which the vacancy exists;
 - c. The Captain or specialized unit supervisor over the District/Division/Unit in which the vacancy exists; and,
 - d. Any other person selected by the Colonel. The Colonel may appoint another member to the panel when any member is unable to attend due to illness, prior engagement, or duty.
9. External influence on promotions is strictly forbidden. Any THP official found to promote or influence promotion based, all or in part, on an external recommendation should be disciplined and, based on the extent of manipulation, potentially terminated. Manipulating a promotional process to accommodate political influence is a policy and integrity violation. Such unethical behavior shall be dealt with in the same manner as any other violation of the law, policy, and the people's trust.

10. The Promotional Panel's purpose is to recommend the most qualified member based on an evaluation of all eligible and interested members in a particular location. The Promotional Panel will recommend the most qualified member to the Colonel based on:
 - a. Patrol Job Experience (Performance Evaluation Ratings, disciplinary actions, personal history file including military record, record of leave taken, other relevant data requested by the Promotion Panel;
 - b. Education/ training;
 - c. Management experience;
 - d. Community relations activities; and,
 - e. Law enforcement and community relations honors and awards.
11. Background investigations will be conducted on the selected interested candidates.
12. Internal Personnel File Reviews will be conducted by the Human Resources Division on the selected interested candidates.
13. The final promotional selection will be made by the appointing authority from the top three (3) candidates who interviewed. This is in accordance with the State Department of Personnel Rule 1120-2-.08 (4).
14. Once the selection is made, the top candidates final rating shall be posted on the TDOS intranet (<http://intranet.state.tn.us/safety>) for each position filled.
15. Once applicants on the oldest register have been interviewed and a contingent offer has been made and accepted, the employee must sign a "Promotion Acceptance Statement" which will be furnished by Human Resources. The applicant accepting the position will be taken out of consideration for all other position vacancies for which the applicant initially indicated an interest and his/her name will be removed from all other registers for the applicable class. The other top two (2) applicants on the register (and applicants tied with the third score) who were considered, but not hired, will be coded as "considerations" on the register.
16. Newly promoted Sergeant/Lieutenants shall be placed on probation for a period of six (6) months. Written evaluations shall be conducted as established by the State Department of Personnel's Rules and Regulations contained in Chapter 1120-5 regarding Employee Performance Evaluations, and General Order 209-1, entitled, "Employee Performance Evaluations."

V. **PROMOTIONAL PROCEDURES FOR COMMISSIONED CIVIL SERVICE POSITIONS OTHER THAN THP SERGEANT/LIEUTENANT:**

A. Competing from the Civil Service Register:

1. A listing of vacancies shall be posted on the State Department of Personnel web site (<http://state.tn.us/personnel>), as vacancies occur. The list of vacancies shall be posted for review for a minimum of fourteen (14) calendar days. Said notification shall include, at a minimum;
 - a. Position Title;
 - b. Position Number;
 - c. Job Description; and,
 - d. Closing date.
2. During the posting period, all employees in the current rank who are interested in transferring to an announced vacant position shall submit a Request For Transfer (SF-0117) to the Colonel's Office for consideration, according to the guidelines set forth in General Order 215, prior to the closure of the fourteen (14) day announcement period.
3. At the close of the announcement period, the Colonel will begin consideration of all transfers requested for announced vacancies.
4. If any of the announced vacancies are filled by a transfer, the newly vacated position will be posted.
5. Any position not filled by a transfer will have a register initiated according to the procedures set forth by the State Department of Personnel.
6. External influence on promotions is strictly forbidden. Any THP official found to promote or influence promotion based, all or in part, on an external recommendation should be disciplined and, based on the extent of manipulation, potentially terminated. Manipulating a promotional process to accommodate political influence is a policy and integrity violation. Such unethical behavior shall be dealt with in the same manner as any other violation of the law, policy, and the people's trust.

VI. **PROMOTIONAL PROCESS PROCEDURES FOR CIVILIAN CIVIL SERVICE POSITIONS:**

- A. Methods of Making Promotions: A vacancy in the career service may be filled by the promotion of a qualified employee. Promotions between departments or agencies must be approved by the appointing authorities concerned. Promotions of employees to regular career service appointments will be made by a competitive process as determined by the State Department of Personnel.

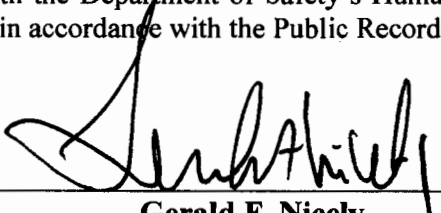
- B. Promotion by Competitive Examination: If it is determined by the State Department of Personnel and the appointing authority to fill a vacancy by a promotional examination, such promotion will be made in accordance with the applicable provisions of 1120-2-.08. The promotional certificate resulting from such examination will be established in accordance with the applicable provisions of 1120-2-.06.
- C. Promotions in the Executive Service: An appointing authority may promote any qualified employee to a position in the executive service.

VII. DURATION OF REGISTER:

- A. All scores shall remain in effect for at least two (2) years unless the score is otherwise ruled ineligible or until new test procedures are announced. Subject to the limitations of TCA§ 8-30-308 and these rules, the State Department of Personnel Commissioner may consolidate or cancel a register at any time after it has been established for six (6) months. If the State Department of Personnel Commissioner abolishes a register, each eligible person on the register will be notified by mail of this fact.
- B. No name shall be removed from the registers except under the conditions listed in the State Department of Personnel Rule 1120-2-.06(4).

VIII. SECURITY:

- A. All promotional materials will be secured by the State Department of Personnel in conjunction with the Department of Safety's Human Resource Division for a period of three (3) years in accordance with the Public Records Commission (TCA§ 10-7-303).



Gerald F. Nicely
COMMISSIONER

All Personnel:

I have read and fully understand the above Order.

Signature

Date