

South Carolina Department of Public Safety

Office of the Director

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| POLICY | 400.05 |
| EFFECTIVE DATE | DECEMBER 7, 1994 |
| ISSUE DATE | MARCH 12, 1999 |
| SUBJECT | PROMOTION FOR THE BUREAU OF PROTECTIVE SERVICES |
| APPLICABLE STATUTES | §23-6-170, §23-6-520 |
| APPLICABLE STANDARDS | 34.1.1, 34.1.2, 34.1.3, 34.1.4, 34.1.6 |
| DISTRUBTION | TO ALL EMPLOYEES |

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. GENERAL

- A. In accordance with Act 181 of 1993. Governmental Restructuring Act, the Director of the Department of Public Safety shall be responsible for making all promotions within the Bureau of Protective Services in accordance with this policy directive. The Commander of the Bureau of Protective Services shall be responsible for submitting the name of a qualified candidate for promotion to the Director for approval in accordance with this policy directive. [34.1.1] [34.1.2]
- B. Promotions will be made by the director from those candidates who meet minimum training and experience requirements set forth in the published position descriptions, who have been recommended for promotion, and whose names have been forwarded by the Commander as recommended for the specific promotions. Additionally, the Director may make promotions based upon a continuous record of meritorious service. Copies of the applicable position descriptions may be obtained from the department Office of Human Resources. [34.1.1] [34.1.2] [34.1.4]
- C. To be eligible for promotion to Lieutenant, an applicant must have attained permanent status in the position of Sergeant. To be eligible for promotion to Sergeant, an applicant must have attained permanent status in the rank of Corporal. To be eligible for promotion to Corporal, an applicant must have

two years of service as a Protective Services Officer and three additional years as a commissioned law enforcement officer. [34.1.6 (c)] Individuals with breaks in service must complete the probationary period imposed upon rehiring before the individual is considered eligible for promotion. July 1 of each calendar year shall be the eligibility cutoff date for achievement of permanent status or service time for participation in the promotional process. Any individual not achieving the required permanent status or service time by that date will be ineligible for the current promotional cycle. [34.1.3 (a) (c)]

- D. Advancement to the ranks of Officer First Class, Senior Officer, and Lance Corporal will occur upon satisfactory time in grade and recommendation of District/Unit Commander which must be based on the employee's satisfactory service, the employee's most recent performance evaluation, any counseling sessions held since the last performance evaluation and any disciplinary action which has been imposed on the individual during the 12 months preceding the eligibility to advancement to a rank listed above. [34.1.3 (a)]
- E. The Director and Commander will determine the promotion procedures for the ranks of Captain and Major as vacancies occur.
- F. Any individual who is interested in a transfer for the ranks of Lieutenant, Sergeant, and Corporal must apply for a lateral move when a vacancy is posted. The lateral transfer candidates will be considered for the vacancy at the same time as those candidates who have applied for promotion. [34.1.3 (f)]
- G. Any individual who has been suspended for disciplinary reasons and/or involuntarily demoted during the 12 months preceding the eligibility cutoff date or during the promotion process shall be ineligible to participate in the promotion process. Any individual who has received a "below performance requirements" rating on the employee's most recent performance evaluation shall be ineligible to participate in the promotion process. Any individual serving a probationary/trial period shall be ineligible to participate in the promotion process. [34.1.3 (a)]
- H. Candidates who are not selected for promotion after three years will be required to retake the applicable test. [34.1.3 (f) (g)] [34.1.6 (d)]
- I. The subsequent imposition of a suspension and/or involuntarily demotion against an employee deemed qualified for promotion will eliminate his or her eligibility status for 12 months from the date of the suspension and/or involuntary demotion.

II. TESTING FOR PROMOTION ELIGIBILITY

- A. Eligible personnel desiring promotion to the ranks of Lieutenant, Sergeant, or Corporal must submit a "Letter of Intent" indicating their interest and an

Internal Commissioned Officer Promotion Application form to the Department's Office of Human Resources by July 15 of each year.

- B. Candidates for promotion to the ranks of Lieutenant, Sergeant, or Corporal must pass the applicable written examination to be eligible for further participation in the promotion process. Prior to the initial administration of a test, a committee of subject matter experts will review each examination for accuracy. [34.1.4] Tests shall be administered at the direction of the Commander except the Commander shall establish a time frame for a test date for each district/unit by July 15 of each year. A second test date will be established a minimum of ninety days after the completion of all initial testing. Candidates who fail to achieve a passing score on the initial test will be eligible for retesting on the second test. Candidates who fail to achieve a passing score on the second test will not be eligible to participate further in the current fiscal year promotion cycle. [34.1.3 (b)]
- C. All candidates will be notified in writing of the outcome, test score and pass/fail of their examination. All scores shall be valid for a period of three years or until the candidate retakes written examination and receives a new score, which shall remain valid for a three-year period. However, candidates may not take the written examination more than twice a year. If the candidate fails to achieve promotion to the rank during that three-year period, then the candidate must retake and pass the examination at the next scheduled test date. [34.1.3 (b) (f)] [34.1.6 (d)]

III. CREATION OF PROMOTION INTERVIEW BOARDS

- A. The Commander will appoint one promotion interview board for Lieutenant, one promotion interview board for Sergeant, and one promotion interview board for Corporal. The Commander may combine boards as circumstances warrant. Board members will serve at the Director's pleasure.
- B. Each board shall be comprised of a chairman and two DPS commissioned law enforcement officers. The Director reserves the right to add additional members to the board. The Director shall also appoint one non-Voting representative from the Office of Human Resources for each board who will be present during all meetings of the board and will be responsible for collecting and compiling all ballots.
- C. Promotion interview boards for the ranks of Lieutenant will be chaired by a Major or above. Promotion interview boards for the ranks of Sergeant and Corporal will be chaired by a Captain or above.
- D. All interview board members will sign and strictly adhere to a code of ethics approved by the Director. Any member who divulges confidential information about any candidate will be subject to disciplinary action up to and including termination from employment. Any member who has knowledge of intimidation or collusion by any of the board members to

influence the outcome or decision of the board shall immediately notify the Director who may order the board to disband and may select a new interview board. Disciplinary action, including suspension or termination from employment from employment may be taken against any board member for such acts of intimidation or collusion.

IV. APPLYING FOR POSTED VACANCIES

- A. Only candidates who have passed the applicable written examination will be eligible to apply for vacancies in that rank as they are posted by the Department. When a vacancy is announced for which the candidate desires to compete, the candidate must forward an Application for Commissioned Vacant Position to the Department's Office of Human Resources before the closing date. [34.1.3 (f)]
- B. The Office of Human Resources will review the applications to ensure that the applicants meet the specified qualifications for the posted vacancy. The Office of Human Resources will pull and compile the applicant's record of disciplinary action, if any. [34.1.3 (f) (g)]
- C. Candidates will be required to appear before the board every time they apply for a vacant position. [34.1.3 (f)]

V. APPEARANCE BEFORE PROMOTION INTERVIEW BOARDS [34.1.3 (d)]

- A. Each year a committee will be appointed by the Commander to develop a structured set of job-related questions and criteria for evaluating each candidate's responses. These questions and criteria shall be approved by the Commander or his designee prior to consideration of any candidate by the board.
- B. The interview board members will be encouraged to ask follow-up questions for clarification of candidate's answers. Each member will then independently assess every candidate's potential for performing the duties of the rank in question by reviewing and assessing such factors as the employee's answers to questions administered during the oral interview and the employee's ability to communicate in oral form. [34.1.3 (a)]
- C. Every member will independently assess each candidate using the approved criteria and using a closed secret ballot will rate the candidate by using the approved numerical system. The Director's non-voting representative from the Office of Human Resources will collect the individual member's ballots and, together with an employee of the Department's Internal Audit Section will tally the scores and forward the tallied scores to the Commander to be considered for promotion. The ballots will be maintained and secured by the Office of Internal Audit for a period of three years. The Commander shall make his selection for filling the posted vacancy, and will forward his

recommendation to the Director for final approval. [34.1.3 (h)] [34.1.6 (a) (b)]

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| By Order of the Director Date: March 12, 1999 |
| <i>B. Boykin Rose</i> |
| Director S C Department of Public Safety |
| The Original Signed Copy of this Policy is on File in the Office of the General Counsel |