

South Carolina Department of Public Safety



Office of the Director

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POLICY	400.25
EFFECTIVE DATE	FEBRUARY 5, 2015
DATE OF ORIGATION	FEBRUARY 5, 2015
SUBJECT	PROMOTION POLICY FOR COMMISSIONED PERSONNEL OF THE IMMIGRATION ENFORCEMENT UNIT
REPLACE POLICY DATED	N/A
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
APPLICABLE STANDARD OPERATING PROCEDURES (SOP)	
FORMS	PRO-010C
DISTRIBUTION	TO ALL EMPLOYEES

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I. PURPOSE

To establish guidelines for promotions within the Immigration Enforcement Unit (IEU). The South Carolina Department of Public Safety (SCDPS or department) is committed to ensuring that promotion activities are conducted in a fair, impartial, and consistent manner. [34.1.1]

II. POLICY

Candidates who meet the minimum training and experience requirements as outlined in the published position descriptions, which have been recommended for promotion and whose names have been forwarded by the division director for specific promotions will be evaluated and/or granted a promotion by the director. Additionally, the director may promote based upon a continuous record of meritorious service. [34.1.1] [34.1.2]

III. DEFINITIONS

For the purpose of this policy, the following definition(s) shall apply:

Division Director- the Immigration Enforcement Unit Commander

Promotion- advancement to a higher position or rank because of service, commitment, training, and/or performance

IV. PROMOTION CRITERIA

- A. To be eligible for promotion to the rank of Sergeant, an applicant must hold the rank of Corporal with IEU for a minimum of six (6) months. To be eligible for promotion to the rank of Corporal, an applicant must have two (2) years of service as an officer with IEU and three (3) additional years as a commissioned law enforcement officer within the state of South Carolina. [34.1.6 (c)] Applicants must have initiated and completed five (5) criminal investigative cases. Individuals with breaks in service must complete the one (1) year probationary period imposed upon rehiring before the individual is considered eligible for promotion.
- B. Promotions to the ranks of Officer First Class, Senior Officer and Lance Corporal will occur upon satisfactory time in grade and the recommendation of the division director which shall 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 the rank listed above. [34.1.3(a)]
- C. The director, at his/her discretion will determine the promotion procedures for command level vacancies as the positions become available.
- D. Any IEU officer, who is interested in a transfer to the ranks of Sergeant and Corporal within IEU, must apply for a lateral move when the vacancy is posted. The lateral transfer candidates may be considered for the vacancy prior to the convening of the promotional board, and if selected, the promotional board for that vacancy will not be convened. [34.1.3 (g)]
- E. Copies of the applicable position description may be obtained from the department's Office of Human Resources (OHR).
- F. An employee shall be considered ineligible to participate in the promotion process if the following has occurred:

1. Individual has been suspended for disciplinary reasons and/or involuntarily demoted during the 12 months preceding the individual attaining eligibility to the next rank or during the promotion process shall be considered ineligible to participate in the promotion process;
 2. Individual has received an “unsuccessful performance requirements” rating on the employee’s most recent performance evaluation; and
 3. Any employee serving a probationary/trial period shall be ineligible to participate in the promotion process. [34.1.3 (a)]
- G. The subsequent imposition of a suspension and/or involuntary 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

V. PROMOTION INTERVIEW BOARDS

- A. The division director will appoint one promotion interview board for Sergeant and one promotion interview board for Corporal. Board members will serve at the director’s discretion.
- B. Each diverse board will be comprised of a chairman and four (4) SCDPS commissioned law enforcement officers. The division director will function as the board chairman for all IEU promotion interview boards. The director reserves the right to add additional members to the board.
- C. The director shall also appoint one non-voting representative from the department’s OHR for each board. The non-voting representative will be present during all meetings of the board and will be responsible for collecting and compiling all ballots.
- 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.
- E. 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, may be taken against any board member for such acts of intimidation or collusion.

VI. APPLYING FOR POSTED VACANCIES

- A. When a vacancy is announced, the interested candidate must forward PRO-010C (Application for Commissioned Vacant Position) to IEU before the closing date.
- B. IEU will review the applications to ensure that the applicant(s) meet the specified qualifications for the posted vacancy. IEU will also research and compile the applicant's record of disciplinary action and check with the Office of Professional Responsibility (OPR) for open/active cases, if any.
- C. Candidates will be required to appear before the promotion interview board each time they apply for a vacant position. In the event a single candidate has applied for a position, the director may waive appearance before the board.

VII. APPEARANCE BEFORE PROMOTION INTERVIEW BOARDS

- A. Each year the division director will be responsible for developing a structured set of job-related questions and criteria for evaluating each candidate's responses during the promotion interview board. The director or his/her designee shall approve these questions and criteria prior to consideration of any candidate. [34.1.4]
- B. Each board member may ask follow-up questions for clarification of the candidate's responses to job-related questions and independently assess the candidate's potential for performing the duties of the rank in question and the employee's ability to verbally communicate. [34.1.3 (a)]
- C. Every board member will independently assess each candidate using the following:
 - 1. the approved job-related questions and criteria;
 - 2. a closed secret ballot; and
 - 3. the approved numerical system.

D. The director's non-voting representative from OHR will collect and tally the board members' scores following the completion of promotion interview boards. An employee of the Office of Strategic Services, Accreditation, Policy and Inspections (OSAPI) will also tally the scores and forward the tallied scores to the division director to be considered for promotion.[34.1.4] The division director shall make his/her selection for filling the posted vacancy, and will forward his/her recommendation to the director for final approval. [34.1.6 (a) (b) (c)] Once the promotion process is complete the scores will be maintained and secured by OSAPI for a period of three (3) years. [34.1.3 (h)]

By Order of the Director
Date: February 5, 2015

Leroy Smith

Director
S C Department of Public Safety

**The Original Signed Copy of this Policy Is
on File in the Office of Strategic Services,
Accreditation, Policy, and Inspections**