POLICY/PURPOSE:
The purpose of this policy is to fill vacant positions by promotion and/or transfer. Competitive transfers will generally be utilized to fill specialized units; however, the Chief of Police reserves the right with documented reason to transfer, permanently or temporarily, any employee as provided by city policy, state law, and approved bargaining unit agreement. Positions filled by competitive transfer will be announced and advertised according to the provisions outlined in this Directive. Positions will be filled at the authorized rank and any deviation from this procedure will require approval by the Chief of Police.

Selecting the most competent personnel for these assignments is paramount to providing effective and efficient productivity. The intent of the selection process is to identify members with the skills to be successful in the position. The selection process will contain components that are job related and uniformly applied to each applicant.

This policy's intent is to encourage personnel to develop professional competencies and individual growth, in addition to enhancing the talents and skills of the division, while providing best service to the community and the Police Department.

DEFINITIONS:
Specialty Position
A specialty position is defined as a position, whether full time or part time, that focuses on a specific area of law enforcement within the Cedar Rapids Police Department.

Full-time Specialty Position
A full-time position is defined as a position where the area of focus is that person's full-time duties. Current full-time specialty positions include: Accreditation Officer, Crime Scene Unit (CSU), Criminal Investigation Division (CID) which encompasses all Investigators assigned to Day CID as well as Mobile Assist Team (MAT), College Resource Officer (CRO), High Intensity Drug Trafficking Areas (HIDTA) Officer, Internet Crimes Against Children (ICAC) Narcotics, Drug Enforcement Administration (DEA), Safe Streets Taskforce (SST), Joint Terrorism Taskforce (JTTF), Police Community Action Team (PCAT), Police PAL, School Resource Officer (SRO), K9 Officer, Training Coordinator, and CID/Traffic Records Technicians.

Part-time Specialty Position
A part-time position is defined as a position where the area of focus includes outside duties in addition to that person's full-time duties. Current part-time specialty positions include: Accident Reconstructionist, Bike Patrol Officer, Certified Instructors, Crisis Intervention Team (CIT), Mobile Field Force Team (MFF),...
Crisis Negotiator, Field Training Officer (FTO), Hazardous Devices Unit (HDU), Honor Guard, Special Response Team (SRT), and Civilian Trainers.

Best interest of the Department:
Best interest of the department for this policy means balancing the needs and objectives of the department with those of the individual employee. While good performance is a major factor in judging who is best suited for each assignment, other factors such as career development, job enrichment and job burnout must also be weighed on an individual basis.

Temporary Transfers:
An assignment that will last 90 days or less. In some circumstances a temporary SRO assignment may last longer than 90 days.

Rotating Specialty Positions (CID):
Rotating assignments will last for five (5) years. Start and end dates will typically coincide with the annual shift bid. CID is the only area that will have Rotating Specialty Positions.

Non-Rotating Specialty Positions:
Non-Rotating assignments do not have a set length.

Annual Review:
Each specialty assignment will require an annual review. The commander with supervisory control over the specialized assignment will be responsible for conducting the review. The review will include at minimum the following:

- The purpose of the specialized assignment.
- Evaluation of the problem or condition that required the implementation of the specialized assignment.
- Recommendation for continuance or changes with the specialized assignment.

Competitive Position Vacancy:
The following procedure will apply for requests to fill any position vacancies within the department by competitive transfer.

- The commander in charge of the section, unit, or task force officer, who has or anticipates a vacancy due to retirement, resignation, transfer, or promotion, will submit a request for replacement to the officer’s division commander for approval.
The division commander will review the request for replacement and, if approved, will prepare a position vacancy announcement for department wide communication to include the published deadline, minimum qualifications to include minimum years of experience, and any special requirements as established by the division commander.
   - The closing date for applications for open positions will be a minimum of 14 consecutive days after the announcement date.

The Chief of Police reserves the right to limit or restrict the number of personnel assigned to specialty assignments.

Canine Officers will bid to a shift based on department seniority and other organizational requirements.

**Responsibilities of the Applicants for the Position Vacancy:**

An employee requesting a change of assignment will submit an email to the division commander of the vacant position indicating interest in the position. The employee’s current shift lieutenant or acting shift commander shall be carbon copied in the email.

- The employee’s shift lieutenant or acting commander in the direct chain of command will complete the Supervisor Recommendation for Assignment Form (CRPD #787).

- The Supervisor Recommendation for Assignment Form (CRPD #787) shall be completed within seven (7) consecutive days. This recommendation will not be delegated. Additional recommendations from supervisors may be submitted. All recommendations shall be turned over to the employee.

- The employee will complete an Application for Assignment Change Form (CRPD #786). It is the responsibility of the applicant to ensure that the Application for Assignment Change Form (CRPD #786) and recommendations are received in the Chief’s office by the closing deadline at 1600 hrs. Late applications will not be accepted.

Applicants will comply with the guidelines listed in the announcement. If the applicant has any questions about the assignment or is unclear as to the application process, it is the applicant’s responsibility to seek clarification from the division commander of the division in which the vacancy is occurring.

**Responsibilities of the Division Commander / Designee:**

- The Chief’s administrative assistant or designee will date and time stamp the application to verify submission is on time.

- The division commander or designee will review all applications to ensure each candidate meets the minimum requirements and has applied before the deadline.
   - Notify any applicant who does not meet the minimum qualifications.
**Position Vacancies and Transfers**

**STANDARD/REF #:** 11.5.1

**APPROVED BY:** Wayne Jerman, Chief

**REVIEWED DATE:** 7/22/2019

**REVISED DATE:** 7/22/2019

**REQUIRED REVIEWERS:** Senior Staff

- Return all applications received after the published deadline.
- Oversee the selection process and represent the department in any grievance.
- Maintain a file for each position vacancy announcement.
- Forward the final selection to the Chief of Police for signature.
- Ensure the final selection is announced via department wide communication.

- Subsequent selections will be made from a position vacancy candidate list. The announcement will include the list of names will be used to fill subsequent vacancies occurring within 90 days of the original position vacancy announcement closing date. The exception to this section are CID positions. The CID candidate list will be maintained for 1 (one) year and subsequent vacancies during that year will be filled from that list.

**RESPONSIBILITIES OF THE RECOMMENDATION COMMITTEES:**

The respective division commander will select the members of the Recommendation and CID Committees which will include:

- The commander of the vacant position
- A front line commander from a different division
- An officer
- May include up to two (2) subject matter experts

The Committees will not exceed five (5) members. The division commander with the vacancy will approve the selection panel, but no division commander will be a participant on the committee. The commander of the vacant position will act as the chair of the committee.

Prior to participating in a position vacancy selection process, the committee will familiarize themselves with their responsibilities, the position, and transfer procedure.

The committee will review each qualified applicant. The applicant file review cannot be delegated to one (1) committee member who then reports back to the other members; all committee members are responsible for the review process. The committee will consider criteria specified in the announcement which may include any or all of the following: [11.5.1c]

- Review of the application
- Review of current personnel evaluation
- Chair of the committee review of personnel file
- Selection interview or oral examination
- Written or practical exercise, or written examination, if announced
- Interview of current commander.
The Recommendation Committee, aside from the CID Selection Committee, will identify up to three (3) qualified applicants who best meet the needs of the unit. They will then submit the committee recommendations, in order of preference, along with appropriate justification, to the Chief of Police or designee. The CID Selection Committee will create a rank order list of all qualified applicants (ex. Rank order of #1 - #13 if there are 13 qualified applicants). The committee will then forward their recommendations for the current vacancies, in order of preference, along with appropriate justification, to the Chief of Police or designee.

The Deputy Chief is responsible for ensuring that the selection is in accordance with the department and city policy. Upon approval by the Chief of Police or designee, a memo will be forwarded to the Chief’s administrative assistant for processing. The administrative assistant will prepare the confirmation letter to the affected employee, to be signed by the division commander. [11.5.1d]

- The selected applicant will normally be notified within five (5) working days following the selection process. The applicant's commander will be notified of the transfer date which should be at the beginning of a pay period and with a minimum of one week's notice. Transfer dates may be adjusted to meet the needs of the department or employee.
- Upon completion of the selection process, the Recommendation Committee will forward a memorandum to each applicant, within a reasonable time period, advising them of the results of the process.
- The chairman of the Recommendation Committee will maintain a file with justification supporting the recommendations. Within five (5) days of the selection the file will be hand delivered to the Chief's administrative assistant for secure filing.
- Employees who were not selected will be notified prior to department wide notification. Those not selected are afforded the opportunity to seek information from the Recommendation Committee chair, to be better prepared and more competitive for future opportunities.

**Appeal Process:**
An appeal of the selection for the open vacancy will be filed by the applicant within seven (7) consecutive days from the notification of the selection. The appeal process will be completed within 30 days after the appeal was filed.

- To begin the appeal process, the applicant will appeal to the Chief's administrative assistant or designee in the form of a memorandum to be time and date stamped. The memorandum will
include the reasons for the appeal. The administrative assistant or designee will be responsible to deliver the memorandum to the Chief of Police.

- Appeal Acknowledgement Letter - A letter will be sent from the Chief's Office to the applicant verifying the receipt of the appeal, setting an appeal hearing date and time, and providing assurance that they will receive another letter as to the results upon conclusion of the appeal process. This acknowledgement letter will be completed and sent immediately upon the initiation of the appeal.

- The appeal hearing will include the applicant, a union steward, the division commander of the vacant position, and the Chief of Police. The results of this hearing will be final and the applicant will be provided a letter as to the results of the hearing.

- All documentation of this process to include, but not limited to, the appeal memorandum, the appeal acknowledgement letter and letter of the final decision, will be maintained in the Administrative Division’s central file system and will be destroyed after 90 days.

- The applicant assessment and selection process under the position vacancy announcement procedure may be shared with other applicants prior to or during the appeal process upon request by the applicant. Disclosure of information regarding this process is on a need-to-know basis.

**TEMPORARY TRANSFERS: [11.5.1a]**

- Temporary transfers afford the employee the opportunity for individual career growth through exposure to specialized job assignments and should result in improved work performance and increased job satisfaction.

- Commanders will provide feedback and guidance to employees who are in a unit on a temporary assignment. Such feedback should be documented; the employee should be given an opportunity to comment. The Temporary Transfer Performance Feedback Form (CRPD #788) will be forwarded to the primary commander and the Chief's administrative assistant for inclusion in the employee's personnel file.

- Temporary transfers are authorized and may be approved at the division level for a period of 90 days or less. If the transfer occurs between divisions, both division commanders must agree to the transfer before it is granted. Division commanders may approve extensions beyond 90 days if the employee and division commanders agree. This may be done to meet the operation needs of the unit, section, or department. [11.5.1b]

- Employees requesting a temporary transfer will do so in writing through their chain of command.

- The lieutenant receiving the request will determine the appropriateness of the request and make a recommendation to their division commander.

- The division commander receiving the request will forward the request to the division commander of the unit requested.

- The division commander(s) will thereafter approve or deny the request.
The employee will be notified of the decision in writing through the chain of command with appropriate instructions.

A copy of the written notification shall be forwarded to the Chief’s administrative assistant and placed in the employee’s personnel file for career development tracking purposes.

Temporary transfers of more than 90 days must be approved by the Chief of Police.

**SPECIALTY ASSIGNMENT AND PLACEMENT (EXCLUDING CID):**

Unit commanders have the discretion to make work assignments. These work assignments will not violate the collective bargaining rules and will be made in the best interest of the department. This applies to specialty assignments. Departmental seniority cannot be used to bid into a full-time specialty position. Departmental seniority within a full-time specialty position will be used to bid scheduled work hours/days off in accordance to Article 10 of the Agreement between the City of Cedar Rapids and the Cedar Rapids Police Bargaining Union.

**CID Specialty Positions:**

CID includes all officers assigned to Investigations, MAT, Narcotics, ICAC and Task Force Positions. CID will have both rotating and non-rotating positions. CSU will also be non-rotating but selection for CSU will be handled separately from the CID assignments. Work assignments within CID will be made by the division commander and will be done in the best interest of the department. Within CID and CSU, department seniority will be used to select days off and vacations. Work hours will be assigned by the division commander. Once an officer is assigned to daytime work hours in CID they cannot be involuntarily assigned to a night/evening shift assignment within CID.

The selection process for vacancies in CID will occur in the early fall annually. A list will be established following the procedures outline in this policy. All qualified candidates applying for CID will be on the list in rank order. The list will be in place prior to the annual shift bid. The list will remain active for one (1) year. Vacancies that occur during the year will be filled from that list. Vacancies that occur following the annual shift bid will be filled based on the staffing needs of the department as a whole.

All Investigators that are assigned to CID on October 1, 2018, will be considered non-rotating. This includes everyone assigned to Investigations, CSU, MAT, ICAC, Narcotics and all Task Force Officers on that date. All subsequent assignments to CID will be considered rotating assignments unless designated as non-rotating prior to the selection process.

Officers working in CID on a rotating assignment will return to their former assignment at the conclusion of their five (5) year term. They are eligible to apply for another rotating assignment once they’ve been out of CID for one year. Any current Investigator grandfathered in as non-rotating that choses to leave CID must reapply to return to CID and will be subject to the 5 year rotation process.
There will be 20 (twenty) Non-Rotating assignments between CSU and CID. The division commander shall have discretion to determine which positions within each CID unit will be designated as rotating and non-rotating.

When a non-rotating position becomes available, that position will be filled with the same process as all other specialty positions as outlined in this policy. In order to apply for a non-rotating position the applicant must currently be working in CID or have worked in CID for more than a 90 day temporary assignment.

The division commander may limit or restrict personnel who have specialty assignments from accepting additional specialty assignments if those responsibilities conflict with either assignment.

**Full-Time Specialty Position Personnel Desiring to Return to a Bid Position:** Any full-time specialty personnel desiring to return to a bid position shall notify their division commander with an email and an Application for Assignment Change Form (CRPD #786) no later than October 1st.

Positions not covered by an annual bid will be allowed to bid into an open position when one becomes available.

**College/School Resource Officer:**
Due to contractual obligations with Kirkwood Community College, the Cedar Rapids Community School District and the College Community School District, (hereinafter referred to as the “Schools”), CRO and SRO positions that are vacated for temporary (less than one year) reasons, will utilize the following process to provide a temporary (less than one year) replacement.

- If a 90 day selection committee reserve list is still active:
  - The candidates on the list will be offered the assignment in the order in which they were ranked in the list.
    - The temporary transfer process will be followed to ensure that the selection does not negatively affect shift staffing levels.

- If the 90 day selection committee reserve list has expired:
  - The list will be kept on file for the duration of the current contract with the Schools or until a new selection process takes place, whichever comes first.
    - Those that completed the selection process will be offered the SRO assignment based on seniority.
      - The temporary transfer process will be followed to ensure that the selection does not negatively affect shift staffing levels.
In the event that a permanent SRO assignment becomes available after the expiration of the most recent 90 day selection committee reserve list, a new selection process will be conducted.

**Removal from a Specialty Assignment for Substandard Performance:**
An employee may be removed from a specialty assignment and re-assigned to their former division based on performance, disciplinary actions, or dissolution of the specialty unit.

Responsibility of the supervisor for performance based removal

- The shift commander will counsel the employee in writing, identifying the area of concern and developing a performance improvement plan. A copy of the counseling and performance improvement plan will be provided to the employee and to the division commander.
- A follow up counseling with the employee will be conducted within 30 days by the front line commander and the shift commander to inform the employee of their progress. Remedial training may be recommended if progress is not being made.
- If the employee’s performance does not improve after 90 days, the shift commander will notify the employee in writing of their required removal from the specialty assignment.
- Employees may appeal according to the Appeal Process of this Directive.