

### VIII-1 PROMOTION

Vacancies in County employment may be filled by promotion. Promotions shall be competitive and the selection made from applicants who have been identified/certified as eligible by Human Resources.

### VIII-2 PROMOTION BY COMPETITIVE EXAMINATION

If the Sheriff elects to fill vacancies in the classifications of Sergeant, Lieutenant, or Captain, he/she shall fill the vacancies by promotional competitive examination, given under the direction of the Director of Human Resources. To be eligible to compete for promotion, an employee must have completed initial probation, not be on promotion probation and currently be in the next lower rank classification. The employee must meet the minimum qualifications as to training and experience for the classification.

- A. Seniority Points: For promotional process seniority points, seniority is defined as current continual service as a commissioned officer with the Pima County Sheriff's Department.
- B. Continual service: For promotional process is defined as employment which has no break in service.
- C. Break in service is defined as when a termination action has taken place. Pursuant to USERRA, a termination action for the purpose of military service is not considered a "break in service" if the employee has been separated for less than five years.
- D. Termination action for purposes of promotional process seniority points is defined as separation of an employee from employment as a commissioned officer with the Pima County Sheriff's Department.

### VIII-3 DEMOTION

#### A. Involuntary

##### 1. Failure of Promotion Probation

An employee who fails to successfully complete the promotion probationary period shall be involuntarily demoted to a position with the same classification and to the same salary step previously held, plus any salary increases awarded to others in the demoted classification for which the employee would have been otherwise eligible had he/she remained in the previous classification to which

VIII-3 A. 1. demoted as determined by the appointing authority. An employee demoted under this Section shall have no right of appeal.

2. Disciplinary Demotion

An employee may be involuntarily demoted for a disciplinary reason upon certification by Human Resources that the employee meets the minimum qualifications for that classification.

3. Notice of Demotion

The Sheriff shall furnish the employee with a written Notice of Demotion prior to or no later than the effective date of the demotion. The date of receipt must be documented. Copies of the Notice of Demotion shall be provided to Human Resources and (in the case of disciplinary demotion only), to the Clerk of the Board of Supervisors.

In the case of a disciplinary demotion, the Notice of Demotion shall contain specific reason(s) for the demotion in sufficient detail to inform the employee of the reason(s) for the action and shall advise the employee of the right to appeal the demotion to the Law Enforcement Merit System Council within ten (10) calendar days of presentation of notice. If all attempts to deliver the Notice of Demotion fail, the right to appeal expires seventeen (17) calendar days from the date of demotion.

B. Voluntary

1. If an employee submits a written request for a voluntary demotion within the Sheriff's Department, the Sheriff may make the demotion non-competitively upon certification by Human Resources that the employee meets the minimum qualifications. A copy of the employee's written request shall be provided to Human Resources. An employee demoted under this section shall have no right of appeal.

2. An employee may voluntarily demote through the competitive process. The employee shall have no right of appeal.

VIII-3 B. 3. If an employee sustains a job-related injury or illness which precludes working in the current classification, the Sheriff's Department may grant the employee a demotion non-competitively upon the request of the employee and certification by Human Resources that the employee meets the minimum qualifications. The employee must also meet the minimum medical requirements for the new position.

#### VIII-4 REASSIGNMENT

The Sheriff has the authority to make reassignments within the department. Reassignments shall be reported to Human Resources.

#### VIII-5 DETAIL

- A. When the services of an employee are needed temporarily for more than thirty (30) working days in a budgeted position within County employment other than the position to which regularly assigned, upon prior approval of the Director of Human Resources the employee may be detailed to that position for a period up to one (1) year. A competitive process shall be used to fill any detail which exceeds thirty (30) working days.
- B. When the services of an employee are needed temporarily for sixteen (16) to thirty (30) working days in a budgeted position, the Sheriff may detail an employee non-competitively to the special duty assignment.
- C. An employee is eligible for detail only if that employee meets the minimum qualifications of the classification as determined by Human Resources upon detailing or upon completion of the detail assignment.
- D. A detail to a budgeted position exempt from the Law Enforcement Merit System shall not result in abridgement of any rights the employee may have prior to detail.
- E. Exceptions to the conditions of a special detail may be authorized by the Director of Human Resources.

#### VIII-6 EFFECTIVE DATE

- A. The effective date for actions defined in Rule VIII shall be the first day of the pay period following the Sheriff's approval, unless otherwise addressed in policy (To include item VIII-6 B below). The effective date for actions defined in Rule VIII not requiring the Sheriff's approval shall be the first day of a pay period.

VIII-6 EFFECTIVE DATE

- B. The effective date for the promotion of a county employee into the classification of deputy sheriff shall be the first date of employment for employees newly hired into the classification. In the event an academy class for deputy sheriff consists of promoted employees only, the effective date shall be academy orientation day.