

CIVIL SERVICE MERIT BOARD RULES – CITY OF KNOXVILLE

Article 21 – Promotions

SECTION 2101. PROMOTIONS AND OPPORTUNITIES

It is the policy of the City, in accordance with the Affirmative Action Program, to provide promotional opportunities, whenever possible, to qualified employees. Employees are encouraged to take advantage of these opportunities by qualifying themselves for advancement through further education and study, by passing the appropriate examination and attaining a place on the appropriate promotional eligibility register, and by a high level of job performance, service, interest and loyalty.

SECTION 2102. PROMOTION POLICY

In accordance with Section 1005 of the Charter, promotion shall be based on "merit" to be ascertained so far as practical by competitive evaluation, as set forth in the Board Rules and Regulations. A City employee cannot achieve promotion without being formally promoted in accordance with these Rules and Regulations. Furthermore, service alone in a position is not sufficient to achieve promotion to that position. A promotion does not mean assignment to a position, without express promotion, even though the position to which the employee is assigned is normally held by a person of higher rank or pay band. Also, the mere performance of duties by an employee in another classification does not entitle the employee to compensation other than that provided by his/her official current classification.

Section 2102.1. Consideration of Promotional Applicants

Vacancies, in positions above the lowest rank in any classification in the civil service, shall be filled, as far as possible, by the promotion of employees with civil service status. With a view toward the selection of the best available applicant for each position, recruitment may also be made from outside of City employees. When the eligibility register is prepared for referral to the department, said register shall be expanded if and as necessary to include the five highest scorers on the civil service examination. If expanded to include entry-level applicants, the hiring authority must still interview and give consideration to those with promotional preference before interviewing and considering the entry-level applicants.

Section 2102.1.1. Length of Placement on Promotional Register

Any City employee with civil service status as prescribed herein who takes any non-uniformed civil service examination and passes all requirements, shall be placed on the eligibility register for a period of two years. Promotional applicants for all classified positions in the uniformed bodies above the rank of Recruit who takes any civil service examination and passes all requirements shall be placed on the eligibility register for a period of five years.

Section 2102.2. Increase in Duties

Promotions and reclassifications which involve a salary increase, in every case, must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of effecting an increase in compensation.

Section 2102.3. Selection Procedure

The Civil Service Director in consultation with the Department Head shall determine the method of selection, and shall use one or more of the selection procedures and the certification process when filling a vacancy by promotion as described in these rules. Final method of selection shall be subject to the approval of the Civil Service Director.

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Section 2102.4. Determination of Open-Competitive vs. Promotional

The Board, or their representative in consultation with the Department Head, shall, in each case, determine whether an open-competitive examination or a promotional examination will best serve the interests of the City in attracting well-qualified candidates.

SECTION 2103. PROMOTIONAL EXAMINATION

The term "promotional examinations" signifies a fitness test to determine the relative standing of promotional candidates for positions in the specific class. A promotional competitive examination may include eligible employees in specific classes in all departments, a few departments, or only in the department for which the promotion register is being established.

Section 2103.1. The Executive Secretary/Director to the Board, in consultation with the Department Head, subject to review by the Board, shall determine whether the promotional opportunity will be restricted to a specific class or classes of qualified applicants in the departmental unit or units eligible to compete, or will be available to all employees who have civil service status.

SECTION 2104. TYPES OF PROMOTIONAL EXAMINATIONS

Promotional examinations shall consist of job related tests of the same types as are prescribed in Sections 802 and 2113.8.

SECTION 2105. TRANSFERS BETWEEN PROMOTIONAL AND OPEN COMPETITIVE LISTS

An employee who completes his/her initial civil service probationary period and achieves civil service status shall be transferred from any open-competitive registers on which he or she is currently eligible onto the promotional list for that job classification(s). The employee shall remain eligible on the promotional list for any time remaining from one year from the date of being placed on the open-competitive eligible register.

An employee who is on a general government promotional list and who separates from the City (with the exception of discharge for cause) shall be transferred to the open-competitive list for that job classification for any time remaining from one year from his or her being placed on the promotional eligible register.

SECTION 2106. PERFORMANCE AND EDUCATION ACHIEVEMENT CREDIT

Credit may also be authorized by the Board for City employee performance evaluations and education achievement and these, also, shall not exceed five points. Documentation will be required. The applicant must receive a passing grade on the examination before any of the above stated credit may be added.

SECTION 2107. ELIGIBILITY TO COMPETE IN PROMOTIONAL EXAMINATIONS

Promotional examinations shall be open only to permanent City employees who have civil service status and who have served in a specified class/classes for such period as shall be prescribed by the Board. No employee shall be eligible to compete in a promotional examination

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without having satisfactorily completed the probationary period and met the acceptable work standards for the present position during the period as provided in these Rules. The completion of the probationary period as an eligibility requirement for a promotional examination may be waived in exceptional cases by the Board when it is shown to be for the good of the City.

SECTION 2108. SERVICE RATING

An employee shall be deemed eligible for a promotional examination only if his/her last service rating was satisfactory.

SECTION 2109. PROMOTIONAL PLAN FOR THE KNOXVILLE FIRE DEPARTMENT

Section 2109.1. Classification Advancement

Following the initial entry into the classification of Firefighter Recruit with the Knoxville Fire Department, all Firefighter Recruits who successfully complete the Knoxville Fire Training Academy will move into the Firefighter classification.

All Firefighters who meet all minimum requirements for Senior Firefighter will be qualified to compete promotionally for Senior Firefighter when posted by the Civil Service Department. All Firefighters successfully meeting all requirements and all testing procedures for Senior Firefighter will be promoted to Senior Firefighter.

All Senior Firefighters who meet all minimum requirements for Master Firefighter will be qualified to compete promotionally for Master Firefighter when posted.

All Master Firefighters who meet all minimum requirements for Fire Officer will be qualified to compete promotionally for Fire Officer when posted.

All Fire Officers who meet the respective minimum requirements will be qualified to compete promotionally for Fire Assistant Chief, Fire Assistant Chief, Senior, and non-exempt positions of Fire Deputy Chief when posted.

All Fire Assistant Chiefs who meet the respective minimum requirements will be qualified to compete promotionally for Fire Assistant Chief, Senior and non-exempt positions of Fire Deputy Chief when posted.

All Fire Assistant Chiefs, Senior who meet the respective minimum requirements will be qualified to compete promotionally for non-exempt positions of Fire Deputy Chief when posted.

Section 2109.2. Minimum Requirements

The term "minimum requirements" which is used throughout this promotional plan is intended to include any requirements listed in these Rules and Regulations plus any requirements listed in the respective classification specifications or posting announcements.

In the event that a uniformed employee in the Knoxville Fire Department does not meet a minimum qualification for a promotional examination due to a documented temporary disability, the employee may submit a written request to Civil Service for a temporary waiver of the requirement. The Executive Secretary/Director and the Chairman of the Civil Service

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Merit Board shall confer regarding the appropriateness of the proposed temporary waiver, and by consensus they shall have the authority to waive the minimum qualification temporarily. If waived, the employee may sit for the promotional exam but will not go onto the eligible register until he or she completes the waived requirement. Once the waived requirement has been successfully completed, the employee will remain on the eligible register for five years from the time he/she originally tested.

Section 2109.3. Selection Procedure Components

Successful completion of each component of the selection procedure shall be required as specified in the vacancy announcement. The selection procedure shall consist of one or more of the following parts as more fully described in Article 8 of the Civil Service Merit Board Rules and Regulations:

- | | |
|--------------------------------------|-----------------------------|
| (a) Written test | (g) Assessment center |
| (b) Oral interview | (h) Performance appraisal |
| (c) Performance test | (i) In-service training |
| (d) Physical test | (j) Elective training |
| (e) Mental test | (k) Educational achievement |
| (f) Training & experience evaluation | |

Section 2109.4.

Minimum Years of Service

Senior Firefighter	Two years service as a Firefighter
Master Firefighter	Two years service as a Senior Firefighter
Fire Officer	Two years service as a Master Firefighter
Fire Assistant Chief	Three years service as a Fire Officer
Fire Assistant Chief, Senior	Three years service as a Fire Officer <u>or</u> one year service as a Fire Assistant Chief
Fire Deputy Chief (does not apply to CS exempt positions)	Three years service as a Fire Officer <u>or</u> one year service as a Fire Assistant Chief

Section 2109.5. Conditions for Waiving Minimum Years of Service Requirements

If no one applies for a promotional position, if no one passes all the requirements for a promotional position, or if no one eligible accepts the promotional position, the minimum years of service requirements may be waived to allow the next preceding rank to apply for said position.

Section 2109.6. Annual Testing

Annual promotional testing will be conducted by the Civil Service Merit Board for Senior Firefighter, Master Firefighter, Fire Officer, and Fire Assistant Chief for the purpose of establishing eligibility registers. All requisitions which are received during the year between tests will be filled from the eligibility register. In the event that there is no candidate who meets the minimum service requirement for any classification, the annual testing is not required for that classification.

SECTION 2110. NOTIFICATION

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Whenever the Board orders a promotional examination to be held, notice of such examination shall be published and posted in the department or departments in which eligibles are employed. It shall be the duty of the Department Head in each department where eligibles are employed to see that each eligible is notified of the examination or has access to such notice.

SECTION 2111. APPLICATION

The Board shall require that each eligible who cares to compete for promotion must fill out application blanks as prescribed and present his application to the Executive Secretary/Director to the Board on or before any specified date.

SECTION 2112. INVALID APPOINTMENTS

No person may be appointed to a civil service position without satisfying all requirements of the Charter, and of the Rules and Regulations promulgated pursuant thereto, relating to such appointments. The appointment or employment of any individual in violation of the Charter or the Rules and Regulations promulgated pursuant to the Charter shall be invalid from its inception, and said individual shall have no right to hold, or continue to hold, or to receive compensation while holding, any position to which he was not appointed in accordance with the Charter or Rules and Regulations adopted pursuant thereto.

SECTION 2113. CAREER DEVELOPMENT PLAN FOR THE KNOXVILLE POLICE DEPARTMENT

Section 2113.1. Career Development Philosophy

The future of police service will be determined by the quality of personnel who can be attracted to its ranks. Failure of the police organization to meet the expectations of qualified individuals will result in low employee morale and generally poor performance. The improved effectiveness of the police organization will be based significantly on the output of the individual employee properly placed in the organization and motivated through increased responsibilities and incentives.

Career development is a planned organized process which begins at the time of an individual's initial employment and continues until the end of his/her working career. Career development necessitates the establishment of career paths and options. These career path options offer opportunities for individual members to pursue career choices throughout their employment, and at the same time, increase organizational productivity and proficiency.

Career development seeks to serve the individual member and the police organization. This will result in a policy agency better equipped and motivated to serve the community in law enforcement.

Section 2113.2. Career Path Alternatives

Implementation of the Career Development Plan will create career paths for uniformed bodies, both horizontally and vertically, and create a cohesive organizational structure. The Career Development Plan provides two (2) career paths for the uniformed bodies.

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Both career paths provide a defined plan for career advancement and personal development spanning over a specific period of time. Each individual will be offered counseling on career path opportunities. The degree of difficulty for advancement is directly related to the knowledge, skills, and abilities required to execute the job successfully. Structured career paths serve to strengthen the structure of the Knoxville Police Department to insure the attainment of the overall goals and objectives.

Listed below are the specific career paths which are designated for the uniformed bodies in the Knoxville Police Department:

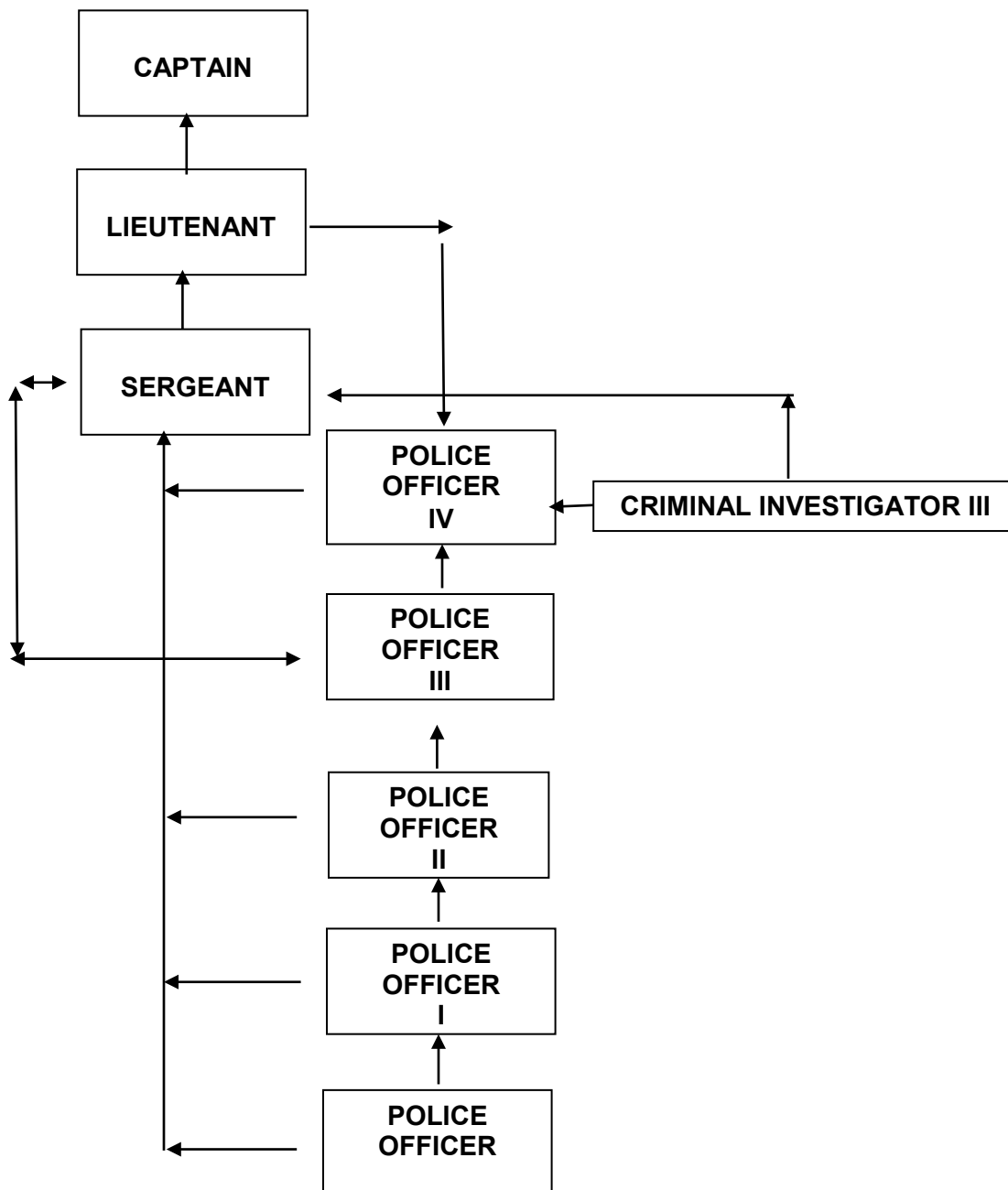
- * Police Officer
- * Supervisory/Management

Please refer to the Organizational Chart on the next page.

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CAREER DEVELOPMENT PLAN



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Section 2113.3. Provisions Common to All Career Paths

Annual testing for Career Development Classifications in the Police Department will be done by the Civil Service Merit Board in the Police Officer Career Path unless otherwise requested by the Police Chief and approved by the Board. Annual testing does not imply or indicate that an actual vacancy exists. It only means that an eligibility list is being created or updated. Should the Department Head for the Police Department declare that a vacancy is to be filled in any of the classifications in which annual testing has occurred, the vacancy will be filled from the established eligibility register. However, because promotional matters are discretionary in nature, successful test results and the meeting of all eligibility requirements do not in any way guarantee a promotion. "Eligibility for promotion" and "actual promotion" are separate and distinct matters.

When a vacancy occurs, all employees shall be eligible to demote to a position in which they have been previously certified or may compete for another lesser position if they so desire.

Nothing in this Career Development Plan is intended to limit the number of positions which can be allocated to any classification, although limitations may be provided through administrative or budgetary processes.

The term "minimum requirements" which is used throughout this Career Development Plan is intended to include any requirements listed in these Rules and Regulations plus requirements listed in the respective classification specifications or posting announcement.

Section 2113.4. Police Officer Career Development Option

The Police Officer Option is structured into five (5) classifications known as Police Officer, Police Officer I, Police Officer II, Police Officer III, and Police Officer IV. Minimum standards and qualifications for entry into the four (4) promotional classifications will insure that quality training, achievement and advancement occur within the police department.

All Police Officers who have met the minimum requirements for the vacant position will be eligible to compete for Police Officer I and Sergeant.

All Police Officer I's who have met the minimum requirements for the vacant position will be eligible to compete for Police Officer II and Sergeant.

All Police Officer II's who have met the minimum requirements for the vacant position will be eligible to compete for Police Officer III and Sergeant.

All Police Officer III's who have met the minimum requirements for the vacant position will be eligible to compete for Police Officer IV and Sergeant.

All Police Officer IV's who have met the minimum requirements for the vacant position may compete for Sergeant.

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Section 2113.5. Criminal Investigator Career Development Option

All Criminal Investigator III's who have met the minimum requirements for the vacant position will be eligible to compete for Police Officer IV and Sergeant.

Section 2113.6. Supervisory/Management Career Development Option

The Supervisory/Management Option is structured into three (3) classifications known as Sergeant, Lieutenant, and Captain.

All Sergeants who have met the minimum requirements for the vacant position will be eligible to compete for Lieutenant and Police Officer III.

All Lieutenants who have met the minimum requirements for the vacant position will be eligible to compete for Captain and for Police Officer IV.

Section 2113.7. Selection Procedure Components

Successful completion of each component of the selection procedure shall be required as specified in the vacancy announcement. The selection procedure shall consist of one or more of the following parts as more fully described in Article 8 of the Civil Service Merit Board Rules and Regulations:

- | | |
|--------------------------------------|-----------------------------|
| (a) Written test | (g) Assessment center |
| (b) Oral interview | (h) Performance appraisal |
| (c) Performance test | (i) In-service training |
| (d) Physical test | (j) Elective training |
| (e) Mental test | (k) Educational achievement |
| (f) Training & experience evaluation | |

Section 2113.8. Minimum Years of Service

Police Officer I: Three years of service in approved P.O.S.T. certified law enforcement including at least two years as a Police Officer with the Knoxville Police Department.

Police Officer II: Six years of service in approved P.O.S.T. certified law enforcement including at least one year as a Police Officer I.

Police Officer III: Nine years of service in approved P.O.S.T. certified law enforcement including at least one year as a Police Officer II or six months service in Sergeant classification or three years service as a Police Officer II.

Police Officer IV: Twelve years of service in approved P.O.S.T. certified law enforcement including at least one year as a Police Officer III or six months service in Lieutenant classification or three years service as a Police Officer III.

Sergeant: Three years of uniformed service with the Knoxville Police Department.

Lieutenant: Two years service in Sergeant classification.

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Captain: Two years service in Lieutenant classification.

All P.O.S.T. certified law enforcement experience outside of the Knoxville Police Department must be approved through the Accelerated Advancement Program (described in Section 2113.9) before it can be used to meet the minimum years of service requirement.

Section 2113.8.1. Conditions for Waiving Minimum Requirement

For promotional positions, if no one applies for such a position, if no one passes all the requirements for such a position, or if no one accepts the promotional position, minimum requirements may be waived to allow the next preceding rank to apply for said position.

Officers who, due to an on-duty injury, do not have the required minimum years of service in a classification to be eligible for promotion may have the minimum years of service in a classification waived if the following conditions are met:

- (a) The officer's total years of service in the Knoxville Police Department uniformed body is equal or greater than the total years of service required for the promotional classification;
- (b) The officer has civil service status in the classification immediately preceding the promotional classification;
- (c) The officer does not have a history of abuse of restricted duty;
- (d) The officer has successfully completed all other minimum requirements; and
- (e) Approval is granted by the Board.

Section 2113.8.2 Annual Testing

Bi-annual promotional testing will be conducted by the Civil Service Merit Board for PO I – IV, and annual promotional testing will be conducted by the Civil Service Merit Board for Sergeant, Lieutenant, and Captain for the purpose of establishing eligibility registers. All requisitions which are received during the year between tests will be filled from the eligibility register. In the event that there is no candidate who meets the minimum service requirement for any classification, the annual testing is not required for that classification.

Section 2113.9. Accelerated Advancement

All uniformed officers must enter the Knoxville Police Department in the classification of Police Officer Recruit. While enrolled in the Knoxville Police Academy, officers have the opportunity to describe any law enforcement experience they possess outside the Knoxville Police Department. Information regarding outside experience is submitted on a form provided to each Recruit. The information provided in this form will be used to determine whether an Officer may be accelerated through the Police Officer career path.

After successful graduation from the Police Training Academy, employees move into the classification of Police Officer. All employees must remain in the Police Officer classification for a period of two (2) years before applying for the next level of the Police Officer series.

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Upon receipt of a fully completed accelerated advancement application but no sooner than during an Officer's first year in the Police Officer classification, a panel will review the Officer's law enforcement experience obtained outside the Knoxville Police Department. The review panel will be comprised of a member of the Civil Service Department and at least three (3) members of the Knoxville Police Department to be appointed by the Police Chief. Panel members may include the following: KPD Field Training Officer Coordinator, KPD Training/Personnel representative, and two (2) KPD employees occupying the classifications of Sergeant or above.

The Civil Service Department will coordinate and administer the review panel process procedures. In addition to reviewing information presented by each Officer upon initial application for Police Officer, panel members may also conduct a more extensive background investigation to determine the legitimacy of the information provided. The review panel not only evaluates number of years of experience but must also take into account an Officer's quality of service (with KPD and other agencies) and equivalency to KPD experience. Time served in a law enforcement academy will not count toward credit for accelerated advancement.

The determination of years of law enforcement experience obtained by each Officer does not guarantee promotion through the Police Officer career path. The decision only determines whether an Officer possesses enough experience to sit for the examination for a given classification.

In the event that an Officer disputes the decision of the panel regarding qualifying experience, the Officer may file an appeal and appear before a committee comprised of the Police Chief and Executive Secretary/Director to present his or her case. If a unanimous decision cannot be reached, the appeal will be brought before the Board for resolution.

The amount of experience determined by the qualifying panel may be used to accelerate Police Officers through the Career Development Plan. All Officers must serve at least one year in each level of the Police Officer series. Once this required period has been served, any Officer who possesses enough law enforcement experience and meets all applicable minimum requirements to move to the next level of the series may sit for the appropriate examination when it is posted. The following chart details the degree of experience necessary to apply for each level of Police Officer.

Level	Law Enforcement Experience
Police Officer I	3 years
Police Officer II	6 years
Police Officer III	9 years
Police Officer IV	12 years

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Current officers are subject to the same review process described in this rule. Prior to annual testing for Police Officer I-IV, current Officers may apply for review of their law enforcement experience obtained outside the Knoxville Police Department. No review is required for KPD experience. Credit will be given for experience that meets qualifying standards.