

Recruitment and Selection

805.1 VERSION

Review Date	Effective Date	Approving Authority
03/24/2020	07/09/18	Chief of Police

805.2 POLICY AND PURPOSE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Harrisonburg Police Department and are maintained by the Human Resources Department.

In accordance with applicable federal, state and local law, the Harrisonburg Police Department provides equal opportunities for applicants. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

Recruitment and selection should be conducted in a uniform manner by trained personnel and as required by the Code of Virginia.

805.3 ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

805.4 RECRUITMENT

The hiring manager should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.

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- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The hiring manager shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process. Applicants will be provided with notice of application disposition.

805.5 SELECTION PROCESS

805.5.1 HIRING PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

The hiring process shall include the following phases:

- (a) Public announcement of open position(s) by the City's Human Resources Department.
- (b) Application process with a specified closing deadline (all on-line using NEOGOV)
 - 1. Including previous employment, references, current and prior addresses, education, military record
- (c) Employment eligibility, including U.S. Citizenship or in the process to obtain citizenship
 - 1. Must live or be willing to move within a one hour drive of the City
- (d) Written and Physical Agility Tests
- (e) Pre-screen Interview
- (f) Panel Interview
- (g) Conditional Offer of Employment
- (h) Polygraph Test
 - 1. If a polygraph examination is administered, the examiner should be appropriately licensed or certified.
- (i) Fingerprints and Photograph taken
- (j) Background Investigation
 - 1. NCIC/VCIN, credit and DMV checks (including driving record) on all applicants
 - 2. Information obtained from public internet sites

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3. Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
 4. Local, state and federal criminal history record checks (Va. Code § 15.2-1705; Va. Code § 15.2-1503.1; Va. Code § 15.2-1505.1; Va. Code § 19.2-389)
- (k) Psychological and Physical, as required
1. Physical and psychological examinations should be administered by appropriately licensed professionals. Examination results should be securely maintained in accordance with Virginia law and the established records retention schedule (see the Personnel Records and the Records Maintenance and Release policies).
- (l) Drug Testing
- (m) Final approval of the applicant by Chief of Police
- (n) All steps in the selection process are conducted by trained personnel.

805.5.2 VETERAN PREFERENCE

The Department will provide veteran preference as required (Va. Code § 15.2-1509).

805.6 RESPONSIBILITIES OF THE HIRING MANAGER

- (a) The hiring manager shall contact the City's Human Resources Department to initiate public posting of a recruitment announcement. He shall also arrange for a NEOGOV notification to those applicants who are not placed on the eligibility list. The selection and hiring process will be coordinated, managed and followed through by the hiring manager or designee, in cooperation with the Commander of the section seeking to fill the open position.
- (b) The hiring manager and City's Human Resources personnel will determine the minimum qualifications for the selection of the non-sworn position.

Responsibilities of the hiring manager or designee, when hiring non-sworn personnel:

- (a) Shall be responsible to formulate, direct, participate and cooperate with the Chief of Police in the hiring of non-sworn personnel.
- (b) Shall be responsible for the reviewing of applications, applicants' correspondence, setting up applicant interviews, applicant background investigation, and pre-employment physical exam.
- (c) Shall ensure, through supervision and inspection, that all elements of the selection process are administered, evaluated and interpreted in a fair and uniform manner.
- (d) Shall ensure that all personnel conducting interviews and investigations in the selection process are trained to conduct such functions.

805.7 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of

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the candidate's unsuitability to perform duties relevant to the operation of the Harrisonburg Police Department.

805.7.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

805.7.2 STATE NOTICES

The Department shall notify the candidate of the information appearing in his/her criminal history record if the information is a basis for an adverse employment determination (Va. Code § 15.2-1503.1).

805.7.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the hiring manager shall not require candidates to provide passwords, account information or access to password-protected social media accounts (Va. Code § 40.1-28.7:5).

805.7.4 RECORDS RETENTION

The background report and all supporting documentation, including but not limited to all testing results, shall be maintained in accordance with the established records retention schedule.

805.7.5 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to make a confident decision on the candidates suitability for hire. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

The hiring manager should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

805.7.6 ADDITIONAL REQUIREMENTS

The Department shall not request, require, solicit or administer a genetic test to any applicant as a condition of employment (Va. Code § 40.1-28.7:1).

805.7.7 INVESTIGATOR TRAINING

Only members who have received department-approved training should conduct background investigations.

805.8 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following (Va. Code § 15.2-1505.1):

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- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case by case basis, using a totality of the circumstances framework.

805.9 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Human Resources Department should maintain validated standards for all positions.

805.9.1 STANDARDS FOR OFFICERS

Candidates shall meet minimum standards established by Virginia law, including those required in Va. Code § 15.2-1705

- (a) Be a citizen of the United States
- (b) Pass a background investigation including fingerprint-based criminal history records inquiries to both the Central Criminal Records Exchange and the Federal Bureau of Investigation
- (c) Possess a high school education or have passed a high school equivalency examination approved by the Board of Education
- (d) Possess a valid driver's license if required by the duties of office to operate a motor vehicle
- (e) Pass a physical examination, subsequent to a conditional offer of employment, conducted under the supervision of a licensed physician
- (f) Be at least 18 years of age

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- (g) Not have been convicted of or pled guilty or no contest to a felony or any offense that would be a felony if committed in the Commonwealth
- (h) Not have produced a positive result on a pre-employment drug screening, if such screening is required by the Department, where the positive result cannot be explained to the Chief of Police's satisfaction
- (i) Not have been convicted of or pled guilty or no contest to:
 - 1. Any misdemeanor involving moral turpitude, including but not limited to petit larceny under Va. Code § 18.2-96, or any offense involving moral turpitude that would be a misdemeanor if committed in the Commonwealth
 - 2. Any misdemeanor sex offense in the Commonwealth, another state, or the United States, including but not limited to sexual battery under Va. Code § 18.2-67.4 or consensual sexual intercourse with a minor 15 years of age or older under clause (ii) of Va. Code § 18.2-371.
 - 3. Domestic assault under Va. Code § 18.2-57.2 or any offense that would be domestic assault under the laws of another state or the United States

The Chief of Police maintains the right to request a waiver and establish Department requirements for certain positions when such requirements are determined to be necessary to perform the duties of the position.

805.10 NEW MEMBER ORIENTATION

All new members of the Harrisonburg Police Department shall receive information regarding the Department by the City of Harrisonburg Human Resources and the Accreditation Manager:

- (a) Role, purpose, goals, policies and procedures
- (b) Working conditions and regulations
- (c) Member responsibilities and rights
- (d) Leave program
- (e) Compensation and benefits plan including, but not limited to:
 - 1. Entry-level salaries
 - 2. Salary differential within ranks
 - 3. Salary levels for personnel with special skills
 - 4. Compensatory time policy
 - 5. Overtime policy
 - 6. Retirement programs
 - 7. Health insurance programs
 - 8. Disability and death benefits
 - 9. Professional liability protection
 - 10. Employee educational assistance program

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11. Employee assistance program

805.11 JOB DESCRIPTIONS

The hiring manager should ensure that a current job description is maintained for each position in the Department.

805.12 EMPLOYEE REFERRAL PROGRAM

- (a) Provides potential for a \$500 referral payment to city employees who refer an applicant that is selected for a full-time or part-time HPD position. The Employee Referral Program does not apply to current city employees who transfer to the HPD or applicants who have previously worked for the city.
- (b) Referred applicant must successfully complete 12 months of continuous employment prior to payment. The 12-month time period begins at the date of hire for non-sworn positions and certified sworn positions. The 12-month time period begins the day after academy graduation for non-certified sworn positions.
- (c) The referring employee will be responsible for completing the [210-Employee Referral Form.pdf](#) and submitting the form to the hiring manager based upon the following:
 1. Non-certified sworn position employee referral forms shall be submitted prior to the candidate's HPD testing process.
 2. Non-sworn and certified sworn position employee referral forms shall be submitted prior to the candidate's application submission or within a reasonable amount of time thereafter, as determined by the Professional Standards Division.
- (d) Only one referral payment can be offered per candidate. If a candidate is referred by more than one employee, the first referral received will be the one rewarded if the candidate is hired and meets the requirements set forth in this program.
- (e) The referring employee must be an active city employee in good standing at the time the referral payment is due.
- (f) The candidate who is hired through this program must be an active HPD employee in good standing at the time the referral payment is made to the referring employee.
- (g) The hiring manager is responsible for administering the Employee Referral Program.

Exceptions:

- (a) A referral payment is not applicable for positions filled by internal candidates, including but not limited to transfers, promotions, or part-time to full-time status changes.
- (b) The Leadership Team, Department Directors/Office Administration, Human Resources staff, employees responsible for recruitment efforts for their department and employees involved in any aspect of the hiring process, including but not limited to the HPD police officer testing process, are not eligible for referral payments.

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805.13 CAREER DEVELOPMENT PROGRAM

The Career Development Program (CDP) is a program that is based on voluntary participation and is limited to full-time non-supervisory officers (POII, Investigator, Master Police Officer, Career Police Officer) of the Harrisonburg Police Department. At its core, the CDP provides a career track for officers who wish to contribute to the department beyond the minimum requirements of their positions, and provides incentives and recognition for those officers who choose to participate. Officers can earn CDP points by accruing certifications and participating in community activities. There are five established levels, or tiers, to the CDP allowing officers to achieve up to 20% above their annual salary.

805.13.1 PROGRAM GOALS

The primary goals of the CDP are to provide non-supervisory officers an avenue to continuously build upon their career, motivate employees to achieve and maintain specialties and proficiencies, maintain a high level of employee retention, and recognize and reward employees' achievements and contributions to the goals of the Harrisonburg Police Department. Specifically, the CDP recognizes several factors:

- (a) Longevity at the Harrisonburg Police Department
- (b) Exceeding expectations in annual performance evaluations and maintaining status of "Good Standing"
- (c) Police Training and involvement in specialties
- (d) Educational achievements
- (e) Contributions to geographical policing

805.13.2 PARTICIPATION IN THE PROGRAM

The CDP is a voluntary program for non-supervisory officers, and the different tiers of the program are challenging, yet attainable. It is highly recommended that officers who wish to participate in the CDP begin working towards goals of the CDP as dearly as possible in his or her career, rather than waiting until he or she is eligible to participate to begin working toward achieving particular levels of the program. Additionally, it is important to note that each individual officer who chooses to participate in the CDP is fully responsible for documenting the activities that the officer includes as part of his or her CDP application packet, and for submitting the CDP packet for review by the specified due date of May 1 each year. For example, if an officer references his or her involvement in geographic policing, training, educational endeavors, or other activities it is the individual officer's responsibility to document and record these activities each year, and to then submit these activities for CDP credit. Since the CDP is specifically a program for non-supervisory officers, if an officer is promoted to a supervisory rank, upon receiving the promotion he or she will no longer participate in the CDP.

805.13.3 PERFORMANCE APPRAISAL REQUIREMENTS AND GOOD STANDING

Participation in the CDP requires that an officer achieve a minimum score of 2.5 on his or her annual City of Harrisonburg Performance Appraisal. For lateral transfers from qualified Law

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Enforcement Agencies, an equivalent performance appraisal rating is required. In the event that an officer averages less than 2.5 on his or her annual performance appraisal, the officer will not be eligible to advance to the next Tier to in the program.

805.13.4 LONGEVITY

Officers will begin to accrue time-in-service from the date on which they begin employment as a law enforcement officer.

805.13.5 POINT ATTAINMENT

As previously stated, participation in the CDP is voluntary. As such, each officer who submits an application packet to the CDP Committee is solely responsible for documenting his or her activities to earn points in the program. Simply attaining a particular specialty or title does not guarantee that an officer receive CDP points; documentation is required to demonstrate the officer's commitment and involvement in said activity. This point cannot be stressed enough: Each officer is solely responsible for documenting his or her CDP activities; if the officer does not include supporting records and documentation for an activity for which he or she is requesting CDP points, no points will be awarded for this activity.

Applicants are required to record the specialty assignments and activities in which they are involved and for which they will propose to earn CDP points. Officers must provide records, documentation and other information such as a narrative or similar document that demonstrates or explains the level of the officer's involvement in each activity referenced in his or her CDP Application Packet. In practical terms, this means that the officer should demonstrate facts such as a description of geographic policing programs in which he or she was involved, the number of trainings he or she attended or instructed, the number of call-outs to which the officer responded, and other useful information to demonstrate an officer's contributions to the department.

805.13.6 ATTAINING AND MAINTAINING CDP STATUS

Officers who participate in the CDP must submit a CDP application packet to the CDP Committee for assessment every year in which they wish to participate in the program. Officers who laterally transfer from another qualified agency, must submit their application to the Chief of Police before completion of the Police Training Program. As such, once an officer attains a particular level in the program, he or she must at least maintain his or her level of activity to keep that status during the next year. Attaining a particular status one year does not guarantee an officer's status in subsequent years. Given that each level of the program has a different monetary incentive, an officer's salary may increase or decrease based on changes in his or her CDP status each year he or she participates in the program.

For example, if an officer has enough years of service to qualify for Tier 3 of the program, but only enough CDP points for Tier 2, he or she will attain Tier 2. However, if in the subsequent year he or she earns enough points for Tier 3, the officer will then qualify for Tier 3 and earn the corresponding percentage increase in salary. As an example, if in the next year that same officer only earns enough points for Tier 1, he or she will then attain Tier 1 status and the officer's salary will be decreased by the amount of increases he or she received for both Tier 2 and Tier

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3. In the event that an officer decides to no longer participate in the CDP, he or she will revert back to POII status and the officer's salary will decrease by the total percentage(s) earned while participating in the CDP.

Officers should submit a CDP application packet during the evaluation period in the year prior to becoming eligible for a particular tier of the program. Upon reaching required number of years of full time police service (based on the anniversary date of their appointment to the position of (Police Officer) for attaining a particular tier in the program, the officer will achieve that tier if he or she submitted a CDP packet for the current CDP year and still meets all requirements of the program. For example: Officer X has eight years of service and is in Tier 1 of the CDP. Officer X submits his or her CDP packet in May of his or her eighth year at HPD and earns 14 points, enough for Tier 2 of the program. Officer X will begin the fiscal year in Tier 1 of the CDP, and will move to Tier 2 on his or her next anniversary of his her date of hire as a Police Officer as long as the officer still meets the requirements of the program (2.5 or higher most recent performance appraisal and in Good Standing).

805.13.7 RESIDUAL POINTS

The Career Development Program Committee has determined that if an officer performs a specialty for a period less than 5 years and voluntarily resigns from the specialty position, then he or she may earn residual points for this specialty in future CDP packets. However, residual points will only apply to Tiers 2, 3, 4 and 5 of the CDP. Residual points will earn ½ of the points normally assigned for the specialty in question. The Guide to CDP Points section below designates with an asterisk the specialties that are eligible for residual points.

If an officer performs any specialty for 5 years or more and voluntarily resigns from the specialty position, he or she will keep the full amount of points earned in that specialty for the remainder of the time he or she is in the CDP.

NOTE: Below is the Career Development Program Points , which is not an all-inclusive list, as there may be additional specialties or activities that qualify for CDP points. If an officer wishes to present an argument for the granting of more CDP points for a particular activity, he or she should properly document the activity and present the argument in his or her CDP application packet. Additionally, if an officer has performed a specialty that is not included in the list below, the officer should include the activity in question in his or her CDP packet along with documentation to support the granting of CDP points for said activity.

805.13.8 CDP TIMELINE

CDP application packets are due to the supervisor of the Personnel Development Unit between April 20 and May 1 of each year. If May 1 falls on a weekend, then the final due date for CDP packets will be the next business day after May 1. There will be NO EXCEPTIONS for this due date unless an officer encounters a documented medical condition which keeps him or her from working the final three days of the CDP packet submission period or the officer is a lateral transfer from a qualified Law Enforcement Agency. Training and approved leave are not justification for an exemption to the May 1 deadline. If an officer is in training or on approved leave on May 1,

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he or she must submit his or her CDP packet before leaving for training or the approved leave. It is strongly recommended that officers not wait until the start of the submission period to begin preparing CDP packets for submission to the Personnel Development Unit.

The CDP Committee will review and assess all CDP application packets and present the committee's findings via a memorandum that includes a summary of the CDP evaluations from the supervisor of the Personnel Development Unit to the Chief of Police by June 1 of each year.

If June 1 falls on a weekend, then the committee will submit its findings by the first business day after June 1. The appeals process for the CDP Committee's decisions is detailed in the Appeals Process section of this document, and the appeals timeline will begin on the date in which each officer is notified of the results of the assessments of the CDP Committee. The Chief of Police will review all lateral transfer CDP applications.

805.13.9 APPEALS PROCESS

An applicant who disagrees with the decision of the CDP Committee may appeal the committee's decision through the process outlined below:

- (a) The CDP applicant will first submit a written memorandum to the supervisor of the Personnel Development Unit within 10 calendar days of learning of the CDP Committee's findings, indicating that the officer is appealing the initial decision of the Committee. In his or her memorandum, the officer must explain in detail why he or she disagrees with the Committee's decision.

The officer may not submit additional supporting documentation to support his or her appeal. The CDP Committee must base its decision only on the materials included in the applicant's CDP application packet.

- (b) The CDP Committee will reconvene to consider the matters outlined in the applicant's memorandum. The Committee will vote to decide whether it will modify its initial CDP recommendation, and what, if any, modifications are appropriate. The Committee may request additional information or documentation prior to making a recommendation. A written recommendation will be completed within 10 calendar days of the date on which the Personnel Development Unit receives the memorandum for the appeal.
- (c) The supervisor of the Personnel Development Unit will forward the Committee's decision on the appeal to the Bureau Commander of the Administrative Bureau. The Bureau Commander will review the appeal and the Committee's recommendation, and will add his or her own recommendation(s). The Bureau Commander will then forward his or her decision to the Chief of Police within 5 calendar days.
- (d) The Chief of Police or his designee will review all recommendations and make a final decision regarding the appeal, and then notify the applicant of the final decision within 5 calendar days.
- (e) The appeals process should be completed in no more than 30 calendar days from the date of receiving the memorandum initiating the appeals process, and all involved parties must make every effort to conclude the process in an efficient manner.

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Only one appeal will be considered. Should an applicant disagree with the final decision of the appeal, he or she will move to Step 6, below.

- (f) An applicant who disagrees with the final decision of his or her appeal by the Chief of Police, the applicant may, where applicable, resort to the established grievance procedure outlined in the Professional Standards Policy.

805.13.10 CAREER DEVELOPMENT PROGRAM COMMITTEE

- (a) Responsibilities of the Committee:
 - 1. The Career Development Program Committee is responsible each year for conducting evaluations of officers' CDP application packets. Committee members will also assist the Personnel Development Unit in administering the program and modifying the CDP as needed. The evaluations of the committee determine the level for which an officer will qualify. After evaluating each applicant's CDP packet, the committee will vote to make a recommendation to the Chief of Police regarding the applicant's status in the program. The committee may request additional information from an officer regarding his or her packet, if needed. All applications and the committee's recommendations will be forwarded to the Chief of Police after each evaluation period.
- (b) Make-up of the CDP Committee:
 - 1. The CDP Committee will be chaired by the supervisor of the Personnel Development Unit.
 - 2. The committee will be comprised of seven non-supervisory officers in addition to the supervisor of the Personnel Development Unit. Four seats on the committee will represent the Patrol Division, and one representative each will sit on the committee from Special Operations and the Criminal Investigations Division. Additionally, one representative will represent Administration Division.
 - 3. Officer members of the CDP Committee will serve a two-year term on the committee. The supervisor of the Personnel Development Unit will make substitute assignments to the committee if the need arises.
- (c) The initial CDP Committee will be comprised of the members of the CDP Planning Committee. These initial committee members will serve two years to establish the CDP. After this initial two-year assignment, based on random selection, the initial members will rotate off of the committee over the following two years to allow other officers an opportunity to serve in this capacity.
- (d) Should the Career Development Program need modification or enhancements, the CDP Committee will meet as needed to accomplish this task.
- (e) The supervisor of the Personnel Development Unit supervisor will provide yearly budgetary information including projected costs for the CDP.