

1. Civil Service Employment Subcommittee Agenda

Documents:

[CIVIL SERVICE EMPLOYMENT SUBCOMMITTEE AGENDA 05-02-2018.PDF](#)

2. 2018-04-02 Civil Service Rules (To Subcommittee) Memo

Documents:

[2018-04-05 CIVIL SERVICE MEMO \(TO SUBCOMMITTEE\).PDF](#)

2.I. CS Rule Sergeant

Documents:

[CS RULE SERGEANT.PDF](#)

3. 2018-04-02 Civil Service Rules (To Subcommittee)

Documents:

[2018-04-02 CIVIL SERVICE RULES \(TO SUBCOMMITTEE\).PDF](#)

4. CS Rule & EDUC Rule Commander

Documents:

[CS RULE AND EDUC RULE COMMANDER.PDF](#)

5. CS Rule Lieutenant

Documents:

[CS RULE LIEUTENANT.PDF](#)

6. CS Rule Major

Documents:

[CS RULE MAJOR.PDF](#)

7. CS Rule Lieutenant

Documents:

[CS RULE LIEUTENANT.PDF](#)

8. CS Rule For Original Appt

Documents:

[CS RULE FOR ORIGINAL APPT.PDF](#)

**City of Portland
Civil Service Employment Subcommittee**

AGENDA

**May 2, 2018, 4:30 p.m.
Police Department Conference Room
109 Middle Street**

4:30 Call to order

Subcommittee business

- Proposed Civil Service Rules for hiring and promotions in the Fire Department
- Proposed Civil Service Rules for promotions to the position of Commander in the Police Department
- Proposed Civil Service Rules for promotions to the position of Major in the Police Department
- Proposed Civil Service Rules for promotions to the position of Lieutenant in the Police Department
- Proposed Civil Service Rules for promotions to the position of Sergeant in the Police Department
- Proposed Civil Service Rules for original appointment to the Police Department
- Memorandum of Agreement between the City and the Portland Police Superior Officer Benevolent Association regarding promotion

Public comment on all proposed rules. Rules to be voted on for adoption.

6:30 Adjourn

MEMORANDUM

TO: Civil Service Employment Subcommittee

FROM: Chief Keith Gautreau; Anne Torregrossa, Associate Corporation Counsel

CC: Captain Christopher Thomson, Local 740 President

DATE: April 5, 2018

In February of this year, the City Council approved some changes to the Civil Service ordinance. The changes were proposed by both the Fire Department and the Police Department to update a very outdated ordinance that no longer reflected the practices of either department and did not meet the needs of either department. Those changes established a baseline for hiring and promotions within the departments and leave many of the details to be worked out in rulemaking before this Subcommittee.

The Fire Department has worked cooperatively with Local 740 to come up with proposed

With respect to the hiring process, many of the current practices will remain, including a written aptitude capacity test, an oral interview, and many of the hiring rules will stay the same. One change in the hiring process is that the Fire Department would use the Candidate Physical Abilities Test (CPAT) to test for physical ability and fitness. The CPAT has become the leading standard in the industry. Additionally, the Fire Department proposes to specify criminal conditions that would disqualify an application from initial employment with the Department. Many of these standards are consistent with those that would disqualify an employee from being a provider for federally funded health care programs.

As for the promotional process, the Fire Department would like to move to an assessment center exam, rather than a simple written exam. The assessment center is designed to test a wider variety of skills and knowledge, hopefully leading to a better evaluation of promotional candidates. Additionally, the Fire Department will be implementing an officer candidate program, including mentoring and professional development, workbook study, and additional training components. A promotional list will still be generated, with individuals being placed on the list in their order of scoring on the assessment center, oral interview, and seniority points. The Department proposes that the order of ranking would generally be order of promotion, with a few exceptions.

The Fire Department looks forward to discussing these changes with the Subcommittee, and appreciates the assistance in moving the Department forward with its hiring and promotions.

CITY OF PORTLAND, MAINE

CIVIL SERVICE COMMISSION

RULE GOVERNING PROMOTIONAL PROCESS

FOR THE POSITION OF SERGEANT IN THE POLICE DEPARTMENT

I. Introduction

The following procedures shall govern the process of testing and screening applicants for the position of Sergeant in the Police Department.

II. Selection components

A. *Time in Service.* All candidates for promotion to Sergeant must complete three (3) years of service with the City of Portland at the time of promotional testing.

B. *Professional Development.* All candidates must completed Verbal Judo, Crisis Intervention, and Field Training Officer training at the time of the Leadership/Management training. Completion of these requirements will allow candidates to take part in the Leadership/Management training phase of the process.

All candidates for promotion to Sergeant must have completed, on an annual basis, Leadership/Management training. This training will be taught and/or facilitated by the department annually. Officers seeking promotion to Sergeant will be required to attend up to twenty-four (24) hours of training. Participants in this training must attend ninety percent (90%) of the course to receive credit for the training.

A pass/fail written test will be administered at the end of the Leadership/Management training utilizing the Maine Criminal Justice Academy's standard of a minimum of two (2) questions per hour of instruction. The testing process will be facilitated by the police department's PAO/HR and the police attorney. A grade of seventy percent (70%) will be considered a passing score. Passing this test will allow an eligible candidate to move on in the promotion process.

For applicants who were not able to attend Leadership/Management training, due to the applicant's assignment to a mandated training, the command staff will facilitate Leadership/Management training using the materials utilized during the department's most recent Leadership/Management training and will cover the topics discussed during the original training. In addition, the department will administer a written test at the end of the review. Satisfactory completion of the training and the test will allow the aforementioned applicant to participate in the promotion process.¹

C. Aptitude Capacity Test. An assessment center for the rank of Sergeant shall be held annually. The assessment center is a comprehensive evaluation process that allows candidates for promotion an opportunity to demonstrate their skills, knowledge, and leadership abilities in a number of different situations related to a specific rank. The primary purpose is to objectively evaluate supervisory skills and abilities using standardized techniques under uniform conditions.

D. Performance Evaluations. The evaluation to be used is the last annual performance evaluation immediately prior to the date of the aptitude capacity test (assessment center). The evaluation will count thirty percent (30%) towards the promotional candidate's overall score.

E. Seniority. Time in the department (10 points maximum). Seniority is defined as aggregate Portland Police Cadet service or sworn Portland Police Officer service only and is to be determined as of the date the aptitude capacity test. Seniority shall be calculated as follows:

½ point per year up to a maximum of ten (10) points

a maximum of one (1) point for Cadet Service.

F. Oral Interview. All promotional candidates must satisfactorily complete an oral interview. The Oral Board shall consist of at least one employment subcommittee member, a member (who is not a candidate for promotion) designated by the president of each of the affected unions, and three (3) members appointed by the Chief from either city personnel or community members or a combination thereof, which three (3) members may include the Chief. If the Chief of Police so chooses, he may also interview each candidate privately.

¹ The parties agree that the City will request that the Civil Service Employment Subcommittee include this provision in all promotional rules approved by the Commission.

G. *Job Suitability Assessment.* Candidates for the position of Sergeant must undergo a job suitability assessment. Assessments within three (3) years from the date of examination may be used, or the police chief may require an updated job suitability assessment at any time.

III. Sequence of Process

The following procedures are set forth in their normal sequence of application. Nothing herein shall preclude a candidate from withdrawing his/her application at any time during the selection process.

A. Successful completion of Leadership/Management training.

B. Aptitude capacity test (assessment center)

1. The City's Department of Human Resources will oversee an aptitude capacity test approved by the Commission.
2. The passing grade on the aptitude capacity test for promotional appointment is established at seventy percent (70%). Any applicant who scores below 70% on the examination shall be disqualified from the process.
3. The City's Department of Human Resources shall establish the eligible list. Each person's position on the eligible list shall be determined by the sum of the following weighted scores:
 - a. Aptitude Capacity Test (60%)
 $100 \times .60 = 60$ points maximum
 - b. Performance Evaluation (30%)
 - c. Seniority in the department (10 points maximum)

C. The eligibility list will be posted in the police department at the end of the assessment process using test identification numbers only.

D. The Chief of Police shall receive the names of a minimum of three (3) and a maximum of five (5) applicants on the eligible list with the highest, aggregate scores. These names shall comprise

the certified list. These names shall comprise the certified list for a single opening for promotional appointment.

A second contemporaneous opening for a promotional appointment of the same rank will require a certified list with a minimum of four (4) candidates and a maximum of six (6) candidates.

If any candidate whose name appears on the certified list is disqualified, or withdraws prior to the appointment to fill the vacancy is made, the Commission shall certify the next name from the eligible list.

E. Job suitability assessments shall be completed, if determined to be necessary by the Chief of Police. If the Chief determines that job suitability assessments are necessary, he/she may waive the job suitability assessment for any candidate who has completed a job suitability assessment for promotion in the previous three (3) years.

F. The Chief of Police shall establish an Oral Board to conduct interviews of the certified applicants.

G. Based on feedback from the interview panel(s), the assessment team and a review of each candidate's personnel history; including discipline, training and education, sick leave usage, performance evaluations and life and law enforcement experience, the Chief of Police will select the candidate for promotion to the rank of Sergeant.

IV. Testing Process

A. The aptitude capacity test shall be administered by an independent Assessment Center chosen by the City. The City may contract with the Assessment Center to provide multiple years of promotional testing.

B. Each eligible applicant will participate in an Assessment Center process conducted by autonomous assessors with law enforcement expertise.

C. The assessment exercises may include an interview with the assessors, written assignments, and/or simulated scenarios. The exercises are designed to test an applicant's skills, knowledge, and abilities in multiple areas relevant to the position of Sergeant.

E. The assessors will evaluate each applicant's performance and award a numerical score.

V. Probationary Period

The probationary period for promotional appointments will be one (1) year from the date of appointment. The appointment will not become permanent until the successful completion of the probationary period.

**ARTICLE I
FIRE DEPARTMENT HIRING**

Sec. 1.1. Hiring process and requirements.

The following outlines the steps in the Fire Department hiring process. Failure to successfully complete any step in the process shall result in automatic disqualification for that hiring cycle.

- A. *Aptitude capacity test:* Applicants must first sit for the written, job-related aptitude capacity test.
 - 1. The test will be held at least once every two years, as called for by the Fire Chief.
 - a. The test shall be publicly advertised, and the application period shall be held open for at least fourteen days.
 - b. The test shall be administered by the Human Resources Department, and at least one member of the Employment Subcommittee shall be available by phone, if necessary.
 - 2. The following must be provided to the Human Resources Department prior to sitting for the test:
 - a. A high school diploma or GED certificate;
 - b. A copy of a valid motor vehicle driver's license; and
 - c. A fully completed job application.
 - 3. 70% is a passing score on the aptitude capacity test.
- B. *Physical fitness test:* If applicants successfully pass the aptitude capacity test, they must take and pass the Candidate Physical Abilities Test (CPAT).
 - 1. The Fire Department shall sponsor the CPAT at least once in connection with each aptitude capacity test.
 - 2. Applicants may alternatively take the CPAT in another jurisdiction, at their own expense, and submit the results from the licensed jurisdiction to the Department. Results must be submitted at least 14 days before oral interviews are scheduled.
- C. *Oral interview:* Applicants who pass the CPAT are eligible to participate in an oral interview.
 - 1. Prior to participating in the oral interview, applicants must provide proof of a valid State of Maine Emergency Medical Technician license.

2. Oral interviews shall be conducted by a panel consisting of one member of the Employment Subcommittee, and the Fire Chief's designees.
- D. Upon successful completion of the application process, applicants shall be part of the eligible applicant pool. The Fire Chief may evaluate eligible applicants based on all information collected in the hiring process and make a conditional job offer to any qualified applicant at his or her discretion. Conditional employees must successfully complete the following requirements, and failure to do so will result in revocation of the conditional job offer.
1. A conditional employee must provide proof of the following:
 - a. Acceptable evidence of age; and
 - b. Acceptable evidence of citizenship or eligibility to work in the United States.
 2. A conditional employee must undergo a full background check, including local, state, and federal criminal history; motor vehicle driving records; and credit history.
 3. A conditional employee must undergo a medical examination. The medical examination shall be performed by a physician specified by the Employment Subcommittee, and shall evaluate whether the conditional employee can perform the essential functions of the job with or without accommodation.
 4. A conditional employee must undergo a job suitability assessment.
 - a. The job suitability assessment shall be performed by a psychologist specified by the Employment Subcommittee.
 - b. The job suitability assessment shall determine whether the applicant can perform the essential functions of the job with or without accommodation.
 - c. The job suitability assessment shall also determine whether the conditional employee has any personality traits, behaviors, or characteristics that might adversely affect his or her performance.
 5. If any disqualification under this section can be corrected, the applicant may be returned to the pool of applicants and be eligible for hire upon furnishing satisfactory evidence that the disqualifying condition has been addressed.
- E. Any applicants who are not initially hired will remain in the applicant pool until they remove themselves from consideration, are removed for cause, or there is a new hiring cycle.

Sec. 1.2. Disqualifying criminal convictions.

Members of the Fire Department hold a position of significant public trust, provide medical treatment to ill and injured individuals, routinely work in peoples’ homes and businesses, and interact closely with the public when they are most vulnerable. Therefore, it is of the utmost importance that members of the Department pass criminal background checks to ensure that they do not pose a threat to the Department or to the public.

The following criminal convictions within the timeframes provided shall automatically disqualify an applicant for original hire. The Fire Chief may waive any of these limitations where he or she determines that the applicant does not pose a threat to the Department or to the public.

Conviction (or equivalent)	Disqualification period
Class A, B, or C 1. Crime of violence 2. Crime involving health care fraud 3. Arson 4. Drug related 5. All other 6. Multiple convictions	1. Permanent 2. Permanent 3. Permanent 4. 10 years from discharge of sentence 5. 10 years from discharge of sentence 6. Permanent
Class D or E 1. Operating under the influence 2. Drug related 3. Crime of violence 4. All other 5. Multiple convictions	1. 5 years from discharge of sentence 2. 5 years from discharge of sentence 3. 10 years from discharge of sentence 4. 5 years from discharge of sentence 5. Permanent
Traffic offenses	One year from date of resolution

Sec. 1.3. Disqualification of applicants by Employment Subcommittee or Fire Chief.

- A. After notice and an opportunity to be heard, the Employment Subcommittee or Fire Chief may disqualify an applicant or conditional employee for any of the following reasons:
1. The applicant or conditional employee made a false statement of material fact during the hiring process;
 2. The applicant or conditional employee cheated or was otherwise dishonest during the hiring process;
 3. The applicant or conditional employee is unfit for duty;
 4. The applicant or conditional employee has excessively or illegally used alcohol or drugs; or

5. The applicant or conditional employee is otherwise ineligible for appointment.
- B. If an applicant is disqualified during the application process, he or she shall be allowed to continue through the process during the pendency of any appeal, unless the Fire Chief or Employment Subcommittee specifically finds that doing so would be detrimental to the applicant, the public, or the Department. However, no disqualified applicant shall be eligible for a conditional job offer unless and until any appeal is resolved in the applicant's favor.

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**ARTICLE II
FIRE DEPARTMENT PROMOTIONS**

Sec. 2.1. Minimum requirements to be placed on ranked, certified promotional list

Promotions to the ranks of Lieutenant and Captain in the Fire Department shall be made from respective ranked certified promotional lists. In order to be placed on a ranked certified promotional list, promotional candidates must successfully complete all of the requirements set forth in this section. Failure to do so will automatically disqualify the candidate from the ranked certified promotional list for that promotional cycle.

A. *Assessment Center Exam*

1. A candidate for promotion must successfully complete the assessment center exam.
 - a. The assessment center exam shall be held at least once per year, unless the Fire Chief and the Fire Union agree in writing that no exam is necessary due to a lack of vacancies.
 - b. The exam shall be administered by an independent third-party, and shall be scored.
 - c. The minimum passing score shall be 70%.
 - d. Once placed on a ranked, certified promotional list, candidates must take and pass the assessment center exam each year in order to remain on the ranked certified promotional list.
2. Prior to sitting for the assessment center exam, applicants must successfully complete the following:
 - a. Time in Service: Each candidate for promotion must have the minimum time in service, as required by § 2-59.4 of the City of Portland Code of Ordinances, prior to placement on the ranked certified promotional list. A candidate's time in service shall be certified by the Human Resources Department.
 - b. Training: A candidate for promotion must successfully complete any required trainings and obtain any necessary certifications, as established by the Fire Department. The required trainings and certifications shall be related to the candidate's ability to successfully perform the duties of the rank to which he or she is seeking promotion. Trainings must be completed prior to sitting for the assessment center exam, and completion shall be verified by the Fire Chief or his designee.

- c. Departmental Officer Candidate Program: A candidate for promotion must successfully complete the officer candidate program established by the Fire Department. The Officer Candidate Program must be successfully completed prior to sitting for the assessment center exam, unless otherwise agreed in writing by the Fire Chief.
- B. *Oral interview*: A candidate for promotion must pass an oral interview, which shall be scored out of 25 points. A passing score on the oral interview shall be 15 points.
- C. *Job suitability assessment*: A candidate for promotion must have a current, satisfactory job suitability assessment in order to be placed and maintained on a ranked certified promotional list. An assessment completed within the previous three years shall be considered sufficient to meet these requirements, however, the Fire Chief may require a candidate to undergo a new assessment at any time and in his or her sole discretion.
 - 1. The job suitability assessment shall be performed by a psychologist specified by the Employment Subcommittee.
 - 2. The job suitability assessment shall determine whether the candidate for promotion can perform the essential functions of the promotional position with or without accommodation.
 - 3. The job suitability assessment shall also determine whether the promotional candidate has any personality traits, behaviors, or characteristics that might adversely affect his or her performance.

Sec. 2.2. Order of candidates on ranked certified promotional list.

- A. Candidates shall be placed on the ranked certified promotional list in order of their score, with the highest scoring individual ranking first on the list.
- B. Scores shall be calculated by adding the numerical value of the assessment center exam score, the oral interview score, and seniority points. Scores shall not be weighted.
- C. Applicants shall receive one-half of a point for each year of service with the Portland Fire Department, with a maximum accumulation of ten points.

Sec. 2.3. Offers of promotion.

The Fire Chief must appoint candidates in their order of ranking unless one of the following occurs:

- A. The candidate lacks the particular skill set or certifications for the vacant position based on the position job description. If this occurs, the candidate will remain on the ranked certified promotional list in his or her original ranking;

- B. The candidate refuses the promotion. If a candidate refuses the promotion, then he or she will be placed at the bottom of the ranked certified promotional list; or
- C. After notice and opportunity to be heard, the Fire Chief or the Employment Subcommittee disqualifies the candidate for cause and removes him or her from the ranked certified promotional list. The Fire Chief or Employment Subcommittee must provide notice of any decision in writing.

Sec. 2.4. Validity of ranked certified promotional list.

- A. Each ranked certified promotional list shall be valid so long as the following conditions are met:
 - 1. No more than two years has passed since the creation of the list;
 - 2. The list has at least twice the number of names as there are vacancies; and
 - 3. The list has at least three names.
- B. A list that would otherwise be invalidated pursuant to subsection A above, may nonetheless be used for promotions where the Fire Chief and the City Manager both request in writing that it be used, and the Employment Subcommittee determines that 1) the process to obtain a new list would result in delay that would impair the ability of the Fire Department to meet its staffing needs in a cost-effective manner, or 2) the process to obtain a new list is not likely to result in additional names on the ranked certified promotional list.

CITY OF PORTLAND, MAINE

CIVIL SERVICE COMMISSION

RULE GOVERNING PROMOTIONAL PROCESS

FOR THE POSITION OF COMMANDER IN THE POLICE DEPARTMENT

I. Introduction

Upon recommendation of the City Manager and the Chief of Police and pursuant to Section 2-60.4(d) of the Civil Service Ordinance, the employment subcommittee has provided by rule for special procedures for selection of the rank of Commander; because such rank requires particular and exceptional qualifications of a scientific, managerial, professional, technical, or educational character. Therefore, the following procedures shall govern the process of screening applicants for the position of Commander.

II. Promotional Process

All sworn personnel who have completed three (3) years of supervisory law enforcement experience in one or more of the following ranks are eligible to participate in the promotional process: Lieutenant and/or Major.

III. Sequence of Process

The following procedures are set forth in their normal sequence of application. Nothing herein shall preclude a candidate from withdrawing his/her application at any time during the selection process.

1. After the City Manager has authorized a vacancy at the position of Commander to be filled, each applicant shall submit a cover letter and a resume outlining his/her professional development, education, experience, and accomplishments.
2. Applicants must meet the educational requirement for the position as established by separate Civil Service Rule.

3. The Chief of Police and one Civil Service Commissioner shall review each candidate's resume and personnel history; including discipline, training and education, sick leave usage, and performance evaluations. The Chief of Police shall select the applicant he/she believes is the best qualified to meet the managerial, professional and technical requirements of the rank of Commander.

IV. Probationary Period

The probationary period for promotional appointments will be one year from the date of appointment. The appointment will not become permanent until the successful completion of the probationary period.

CITY OF PORTLAND, MAINE

CIVIL SERVICE COMMISSION

RULE REGARDING EDUCATIONAL REQUIREMENT

FOR THE POSITION OF COMMANDER IN THE POLICE DEPARTMENT

I. Pursuant to Section 2-60.4(d) of the Civil Service Ordinance, and recognizing that the rank of Commander in the Police Department requires exceptional qualifications of a managerial, professional and technical character, the Commission hereby provides that there shall be a minimum educational requirement for applicants for the position of Commander.

II. The applicant must be able to demonstrate education and/or experience that provides him/her with the knowledge, skills and abilities required to perform the essential job duties and responsibilities. Applicants must possess a Post-Secondary Degree (Associate, Bachelor's, Master's or Doctoral Degree) from an accredited college or university in a field of study relevant to the position or an equivalent combination of education, experience and training.

III. An equivalent combination of education, experience and training is defined as: sixty (60) college or continuing education credit hours (which equals two years of college credits) and at least three (3) years of supervisory, law enforcement experience in one or more of the following ranks: Lieutenant and/or Major.

CITY OF PORTLAND, MAINE
CIVIL SERVICE COMMISSION
RULE GOVERNING PROMOTIONAL PROCESS
FOR THE POSITION OF LIEUTENANT IN THE POLICE DEPARTMENT

I. Introduction

The following procedures shall govern the process of testing and screening applicants for the position of Lieutenant in the Police Department.

II. Selection components

A. *Time in Service.* All candidates for promotion to Lieutenant must have completed at least one (1) year in the rank of Sergeant.

B. *Professional Development.* All candidates must complete Verbal Judo, Crisis Intervention, and Field Training Officer training at the time of the Leadership/Management training. Completion of these requirements will allow candidates to take part in the Leadership/Management training phase of the process.

All candidates for promotion must have completed, on an annual basis, Leadership/Management training. This training will be taught and/or facilitated by the department annually. Sergeants seeking promotion to Lieutenant will be required to attend up to forty (40) hours of training. Up to sixteen (16) hours of the forty (40) hours of training will focus on mid-management methods and techniques. A pass/fail written test will be administered at the end of the training utilizing the Maine Criminal Justice Academy's standard of a minimum of two (2) questions per hour of instruction. The testing process will be facilitated by the police department's PAO/HR and the police attorney. A grade of seventy percent (70%) will be considered a passing score. Passing this test will allow an eligible candidate to move on in the promotion process. Participants in this training must attend ninety percent (90%) of the course to receive credit for the training.

For those applicants who were not able to attend the Leadership/Management training, due to the applicant's assignment to a mandated training, the command staff will facilitate Leadership/Management training using the materials utilized during the department's most recent Leadership/Management training and will cover the topics discussed during the original training. In addition, the department will administer a written test at the end of the review. Satisfactory completion of the training and the test will allow the applicant to participate in the promotion process.¹

C. Aptitude Capacity Test. An assessment center for the rank of Lieutenant shall be held annually. The assessment center is a comprehensive evaluation process that allows candidates for promotion an opportunity to demonstrate their skills, knowledge, and leadership abilities in a number of different situations related to a specific rank. The primary purpose is to objectively evaluate supervisory skills and abilities using standardized techniques under uniform conditions.

D. Performance Evaluations. The evaluation to be used is the last annual performance evaluation immediately prior to the date of the aptitude capacity test (assessment center). The evaluation will count thirty percent (30%) towards the promotional candidate's overall score.

E. Seniority. Time in the department (10 points maximum). Seniority is defined as aggregate Portland Police Cadet service or sworn Portland Police Officer service only and is to be determined as of the date the aptitude capacity test. Seniority shall be calculated as follows:

½ point per year up to a maximum of ten (10) points

a maximum of one (1) point for Cadet Service.

F. Oral Interview. All promotional candidates must satisfactorily complete an oral interview. The Oral Board shall consist of at least one employment subcommittee member, a member (who is not a candidate for promotion) designated by the president of each of the affected unions, and three (3) members appointed by the Chief from either city personnel or community members or a combination thereof, which three (3) members may include the Chief. If the Chief of Police so chooses, he/she may also interview each candidate privately.

¹ The parties agree that the City will request that the Civil Service Employment Subcommittee include this provision in all promotional rules approved by the Commission.

G. *Job Suitability Assessment.* Candidates for the position of Lieutenant will not be required to undergo a job suitability assessment; unless it is specifically requested by the Chief of Police

III. Sequence of Process

The following procedures are set forth in their normal sequence of application. Nothing herein shall preclude a candidate from withdrawing his/her application at any time during the testing and selection process.

A. Successful completion of Leadership/Management training.

B. Aptitude capacity test (assessment center)

1. The City's Department of Human Resources will oversee an aptitude capacity test approved by the Commission.
2. The passing grade on the aptitude capacity test for promotional appointments is established at 70%. Any applicant who scores below 70% on the examination shall be disqualified from the process.
3. The City's Department of Human Resources shall establish the eligible list. Each person's position on the eligible list shall be determined by the sum of the following weighted scores:
 - a. Aptitude Capacity Test (60%)
 $100 \times .60 = 60$ points maximum
 - b. Performance Evaluation (30%)
 - c. Seniority in the department (10 points maximum).

C. The eligibility list will be posted in the police department at the end of the assessment process using test identification numbers only.

D. The Chief of Police shall receive the names of a minimum of three (3) and a maximum of five (5) applicants on the eligible list with the highest, aggregate scores. These names shall comprise the certified list. These names shall comprise the certified list for a single opening for promotional appointment.

A second contemporaneous opening for a promotional appointment of the same rank will require a certified list with a minimum of four (4) candidates and a maximum of six (6) candidates.

If any candidate whose name appears on the certified list is disqualified, or withdraws prior to the appointment to fill the vacancy being made, the Commission shall certify the next name from the eligible list.

E. Job suitability assessments shall be completed, if determined to be necessary by the Chief of Police.

F. The Chief of Police shall establish an Oral Board to conduct interviews of the certified applicants. All candidates on the certified list for Lieutenant may be required to read a book or a packet of relevant articles, commentary, or critiques of current events selected by the Chief and discuss it with a separate oral board consisting of police command staff members only.

G. Based on feedback from the interview panel(s), the assessment team and a review of each candidate's personnel history; including discipline, training and education, sick leave usage, performance evaluations and life and law enforcement experience, the Chief of Police will select the candidate for promotion to the rank of Lieutenant.

IV. Testing Process

A. The aptitude capacity test shall be administered by an independent Assessment Center chosen by the City. The City may contract with the Assessment Center to provide multiple years of promotional testing.

B. Each eligible applicant will participate in an Assessment Center process conducted by autonomous assessors with law enforcement expertise.

C. The assessment exercises may include an interview with the assessors, written assignments, and/or simulated scenarios. The exercises are designed to test an applicant's skills, knowledge, and abilities in multiple areas relevant to the position.

D. The assessors will evaluate each applicant's performance and award a numerical score.

V. Probationary Period

The probationary period for promotional appointments will be one (1) year from the date of appointment. The appointment will not become permanent until the successful completion of the probationary period.

CITY OF PORTLAND, MAINE

CIVIL SERVICE COMMISSION

RULE GOVERNING PROMOTIONAL PROCESS

FOR THE POSITION OF MAJOR IN THE POLICE DEPARTMENT

I. Introduction

Upon recommendation of the City Manager and the Chief of Police and pursuant to Section 2-60.4(d) of the Civil Service Ordinance, the employment subcommittee has provided by rule for special procedures for selection of the rank of Major; because such rank requires particular and exceptional qualifications of a scientific, managerial, professional, technical, or educational character. Therefore, the following procedures shall govern the process of screening applicants for the position of Major.

II. Promotional Process

All lieutenants, who have completed the one year probationary period at the rank of lieutenant as of the date of the assessment process, are eligible to participate in the promotional process. While education continues to be an important component of the promotional process, due to the experience, training, and education possessed by the eligible supervisors, there is no specific educational requirement for this position.

III. Sequence of Process

The following procedures are set forth in their normal sequence of application. Nothing herein shall preclude a candidate from withdrawing his/her application at any time during the selection process.

1. After the City Manager has authorized a vacancy to be filled at the position of Major, each applicant shall submit a cover letter and a resume outlining his/her professional development, education, experience, and accomplishments.

2. The Chief of Police shall appoint an Interview Board and an Assessment Board.
3. The Interview Board will include:
 - a. a Civil Service Commissioner;
 - b. the Commander of the Uniformed Operations Group;
 - c. a member of the Citizen Review Subcommittee;
 - d. a representative of the PBA;
 - e. a representative of the SOA, who is not a candidate for promotion to Major;
and
 - f. a representative of the community.
4. The Interview Board will:
 - a. review each applicant's cover letter and resume; and
 - b. interview each applicant for promotion. Interview questions will be prepared in advance by the PAO/Personnel and the Assistant Chief of Police in consultation with the Chief of Police.
5. The Assessment Board will include:
 - a. the Chief of Police;
 - b. the Assistant Chief of Police; and
 - c. a minimum of two and a maximum of three active or former Chiefs of Police selected by the Portland Chief of Police.
6. The assessment process will include an oral interview with questions focused on law enforcement duties and job functions in order to evaluate each applicant's potential to perform in a managerial capacity in the position of Major.
7. Based on feedback from the Interview and Assessment Boards and a review of each applicant's personnel history; including discipline, training and education, sick leave usage, performance evaluations, and life and law enforcement

experience, the Chief of Police will select the applicant for promotion to the rank of Major.

IV. Probationary Period

The probationary period for promotional appointments will be one year from the date of appointment. The appointment will not become permanent until the successful completion of the probationary period.

CITY OF PORTLAND, MAINE
CIVIL SERVICE COMMISSION
RULE GOVERNING PROMOTIONAL PROCESS
FOR THE POSITION OF LIEUTENANT IN THE POLICE DEPARTMENT

I. Introduction

The following procedures shall govern the process of testing and screening applicants for the position of Lieutenant in the Police Department.

II. Selection components

A. *Time in Service.* All candidates for promotion to Lieutenant must have completed at least one (1) year in the rank of Sergeant.

B. *Professional Development.* All candidates must complete Verbal Judo, Crisis Intervention, and Field Training Officer training at the time of the Leadership/Management training. Completion of these requirements will allow candidates to take part in the Leadership/Management training phase of the process.

All candidates for promotion must have completed, on an annual basis, Leadership/Management training. This training will be taught and/or facilitated by the department annually. Sergeants seeking promotion to Lieutenant will be required to attend up to forty (40) hours of training. Up to sixteen (16) hours of the forty (40) hours of training will focus on mid-management methods and techniques. A pass/fail written test will be administered at the end of the training utilizing the Maine Criminal Justice Academy's standard of a minimum of two (2) questions per hour of instruction. The testing process will be facilitated by the police department's PAO/HR and the police attorney. A grade of seventy percent (70%) will be considered a passing score. Passing this test will allow an eligible candidate to move on in the promotion process. Participants in this training must attend ninety percent (90%) of the course to receive credit for the training.

For those applicants who were not able to attend the Leadership/Management training, due to the applicant's assignment to a mandated training, the command staff will facilitate Leadership/Management training using the materials utilized during the department's most recent Leadership/Management training and will cover the topics discussed during the original training. In addition, the department will administer a written test at the end of the review. Satisfactory completion of the training and the test will allow the applicant to participate in the promotion process.¹

C. Aptitude Capacity Test. An assessment center for the rank of Lieutenant shall be held annually. The assessment center is a comprehensive evaluation process that allows candidates for promotion an opportunity to demonstrate their skills, knowledge, and leadership abilities in a number of different situations related to a specific rank. The primary purpose is to objectively evaluate supervisory skills and abilities using standardized techniques under uniform conditions.

D. Performance Evaluations. The evaluation to be used is the last annual performance evaluation immediately prior to the date of the aptitude capacity test (assessment center). The evaluation will count thirty percent (30%) towards the promotional candidate's overall score.

E. Seniority. Time in the department (10 points maximum). Seniority is defined as aggregate Portland Police Cadet service or sworn Portland Police Officer service only and is to be determined as of the date the aptitude capacity test. Seniority shall be calculated as follows:

½ point per year up to a maximum of ten (10) points

a maximum of one (1) point for Cadet Service.

F. Oral Interview. All promotional candidates must satisfactorily complete an oral interview. The Oral Board shall consist of at least one employment subcommittee member, a member (who is not a candidate for promotion) designated by the president of each of the affected unions, and three (3) members appointed by the Chief from either city personnel or community members or a combination thereof, which three (3) members may include the Chief. If the Chief of Police so chooses, he/she may also interview each candidate privately.

¹ The parties agree that the City will request that the Civil Service Employment Subcommittee include this provision in all promotional rules approved by the Commission.

G. *Job Suitability Assessment.* Candidates for the position of Lieutenant will not be required to undergo a job suitability assessment; unless it is specifically requested by the Chief of Police

III. Sequence of Process

The following procedures are set forth in their normal sequence of application. Nothing herein shall preclude a candidate from withdrawing his/her application at any time during the testing and selection process.

A. Successful completion of Leadership/Management training.

B. Aptitude capacity test (assessment center)

1. The City's Department of Human Resources will oversee an aptitude capacity test approved by the Commission.
2. The passing grade on the aptitude capacity test for promotional appointments is established at 70%. Any applicant who scores below 70% on the examination shall be disqualified from the process.
3. The City's Department of Human Resources shall establish the eligible list. Each person's position on the eligible list shall be determined by the sum of the following weighted scores:
 - a. Aptitude Capacity Test (60%)
 $100 \times .60 = 60$ points maximum
 - b. Performance Evaluation (30%)
 - c. Seniority in the department (10 points maximum).

C. The eligibility list will be posted in the police department at the end of the assessment process using test identification numbers only.

D. The Chief of Police shall receive the names of a minimum of three (3) and a maximum of five (5) applicants on the eligible list with the highest, aggregate scores. These names shall comprise the certified list. These names shall comprise the certified list for a single opening for promotional appointment.

A second contemporaneous opening for a promotional appointment of the same rank will require a certified list with a minimum of four (4) candidates and a maximum of six (6) candidates.

If any candidate whose name appears on the certified list is disqualified, or withdraws prior to the appointment to fill the vacancy being made, the Commission shall certify the next name from the eligible list.

E. Job suitability assessments shall be completed, if determined to be necessary by the Chief of Police.

F. The Chief of Police shall establish an Oral Board to conduct interviews of the certified applicants. All candidates on the certified list for Lieutenant may be required to read a book or a packet of relevant articles, commentary, or critiques of current events selected by the Chief and discuss it with a separate oral board consisting of police command staff members only.

G. Based on feedback from the interview panel(s), the assessment team and a review of each candidate's personnel history; including discipline, training and education, sick leave usage, performance evaluations and life and law enforcement experience, the Chief of Police will select the candidate for promotion to the rank of Lieutenant.

IV. Testing Process

A. The aptitude capacity test shall be administered by an independent Assessment Center chosen by the City. The City may contract with the Assessment Center to provide multiple years of promotional testing.

B. Each eligible applicant will participate in an Assessment Center process conducted by autonomous assessors with law enforcement expertise.

C. The assessment exercises may include an interview with the assessors, written assignments, and/or simulated scenarios. The exercises are designed to test an applicant's skills, knowledge, and abilities in multiple areas relevant to the position.

D. The assessors will evaluate each applicant's performance and award a numerical score.

V. Probationary Period

The probationary period for promotional appointments will be one (1) year from the date of appointment. The appointment will not become permanent until the successful completion of the probationary period.

CITY OF PORTLAND, MAINE
CIVIL SERVICE COMMISSION
RULE GOVERNING HIRING PROCESS
FOR ORIGINAL APPOINTMENT TO THE POLICE DEPARTMENT

I. Introduction

The following procedures shall govern the process of testing and screening applicants for original appointment to the Police Department.

II. Hiring Process and Minimum Requirements

The following are the steps in the Police Department hiring process. Failure to complete any step in the process may result in disqualification from the existing hiring process.

A. *Minimum Requirements.* Applicants must provide the Human Resources Department with a:

1. completed job application and/or resume;
2. valid driver's license; and
3. high school diploma or GED certificate.

B. *Aptitude capacity test.* All applicants for original appointment must pass an aptitude capacity test. The aptitude capacity test may be waived for a police applicant who is a full-time employee with law enforcement duties and arrest authority in another jurisdiction at the time of application and is certifiable by the Maine Criminal Justice Academy.

1. The test for entry level police officer shall be an online or written test. Each applicant may take the test up to twice in any rolling six month period, i.e. an applicant may take the test on January 15 and again on March 15, but not again until September 16. The applicant may not re-take the test while being considered in a current hiring process.
2. The scores of the aptitude capacity test shall be determined by an impartial scorer and delivered to the director. The applicant may receive his or her test score upon request.

3. All applicants with a passing score of 70% will be included in the hiring process. An applicant's eligibility for appointment shall automatically expire 12 months after the date the applicant passed the test.

C. Physical fitness assessment. All applicants for original appointment will be given a physical fitness assessment. The police chief has the option to accept the substitution of a valid letter from the Maine Criminal Justice Academy stating that the applicant has successfully completed the Academy's physical fitness assessment within the 12 months immediately prior to the date of the aptitude capacity test.

D. Oral Board. An oral interview will be conducted with all applicants who have passed both the aptitude capacity test and the physical fitness assessment. The Oral Board will consist of:

1. one employment subcommittee member;
2. a member of each of the police (sworn officer) unions; and/or
3. members of the community.

E. Background check. All applicants for original appointment must be fingerprinted and satisfactorily complete a background check, including criminal history and disqualifying criminal convictions, driving record, and credit check.

III. Requirements Post-Conditional Job Offer

Upon successful completion of the application process, the Police Chief may evaluate the eligible applicants and make a conditional job offer to any qualified applicant at his/her discretion. Individuals receiving a conditional job offer must successfully complete the following requirements:

A. Age. Provide acceptable evidence of age.

B. Good character. Be of good character; which includes a personal history of honesty, fairness, and respect for the rights of others and for state and federal law.

C. Citizenship or Immigration status. Provide acceptable evidence of United States citizenship or demonstrate a permanent right to work in the United States.

D. Polygraph. Pass a polygraph examination to the extent such examination is permitted by law.

E. Medical examination. Undergo a medical examination to determine whether the applicant is physically capable of meeting the standards established by the Maine Criminal Justice Academy.

F. Job suitability assessment. Complete a post-offer job suitability assessment as required by the Maine Criminal Justice Academy.

IV. Disqualification of applicants by the Employment Subcommittee or the Police Chief

A. After notice and an opportunity to be heard, an applicant or an individual receiving a conditional job offer may be disqualified by the Employment Subcommittee or the Police Chief for the following reasons:

1. a false statement of a material fact during the hiring process;
2. cheating or dishonesty during the hiring process;
3. unfitness for duty;
4. excessive or illegal use of drugs or alcohol;
5. failure to successfully complete a component of the hiring process; including but not limited to, the polygraph examination, the background investigation or the physical fitness assessment;
6. the unanimous recommendation of the oral interview board that the person not be further considered for appointment; or
7. any other ineligibility for appointment.

B. Notice of said disqualification, and the reasons for it, shall be provided to the applicant. Upon disqualification by the chief, the applicant shall be removed from the hiring process. The applicant shall have the opportunity to appeal said disqualification to the chief of police. Upon reconsideration, the chief may allow the person to complete the hiring process. If the chief does not change his or her decision to disqualify the applicant, the chief shall provide the subcommittee and the applicant with written notice of his or her decision and the basis for it. The applicant shall be notified of his or her right to appeal the chief's final decision to the subcommittee.

V. Probationary Periods

A. *Original appointment.* Persons receiving original appointment as a police officer shall be a probationary employee for a period of two (2) years from the date of appointment.

B. *Lateral transfers.* A police lateral transfer who has two years of post-academy, full-time, continuous service as a police officer at the time of appointment shall be credited with up to twelve (12) months of service toward completion of the department's two year probationary period. Eligibility for promotional appointment shall be the completion of three (3) years of service in the Portland Police department.