

ORDINANCE #1984

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 54 (POLICE DEPARTMENT), ARTICLE I (ESTABLISHMENT AND ORGANIZATION), SECTION 54-3.1 (PROMOTIONAL PROCESS) OF THE CODE OF THE TOWNSHIP OF WYCKOFF

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, New Jersey, that those portions of the aforesaid set forth below are hereby amended as follows and that those portions not set forth below shall remain unchanged:

SECTION 1. Section 54-3.1 (Promotional process) of Chapter 54 (Police Department), Article I (Establishment and Organization) shall be deleted in its entirety and supplemented as follows:

CHAPTER 54 POLICE DEPARTMENT

ARTICLE I ESTABLISHMENT AND ORGANIZATION

§ 54-3.1 Promotional process.

General.

To provide all eligible candidates for promotion with fair notice and equal access to the promotional process and to identify the most qualified members of the Department for promotion to leadership positions within the Department, the following promotional process shall be employed for promotions to the ranks of Sergeant, Lieutenant, and Captain.

The promotional process shall be governed by state law and in compliance with N.J.S.A. 40A:14-129, which provides that promotion of any member or officer of the Police Department to a superior position shall be made from the membership of the Department, and due consideration shall be given to the length and merit of their service, and preference shall be given according to seniority in service. The Chief of Police shall be responsible for the administration of the promotional process.

Promotion to the rank of Sergeant.

- (1) Eligibility. No person shall be eligible for promotion to the rank of Sergeant unless the candidate has served as a police officer with the Wyckoff Police Department for at least five years prior to the date of the administration of the written examination referred to in Section B(2)(a) hereinbelow.

The testing process for the above position will consist of the following:

Written examination administered by the New Jersey State Association of Chiefs of Police ("Chief's Association") or such other written examination approved by the Township Committee and administered by the Chief of Police as set forth in Subsection E(5)(a) hereinbelow;

The written examination shall account for 50% of a candidate's total promotional score, up to a maximum of 50 total points.

Each candidate's total point score for the written examination shall be computed by taking a candidate's score on the written exam (which shall have 100 points as its maximum score) and multiplying the same by 50%. By way of example, a candidate receiving a score of 80 points on their written examination shall receive 40 total points for the written examination element of the promotional process ($80 \times 50\% = 40$ total points).

To proceed to the oral portion of the promotional process, a candidate must achieve a minimum score of 70 points, out of said maximum of 100 points, on the written examination.

Oral examination administered by an interview panel (the "Interview Panel") comprised of the following persons: the two members of the Township Police Committee, the Chief of Police, and the Township Administrator.

Only those candidates who have achieved a score of 70 points or greater (out of the maximum of 100 points) on the written examination shall be permitted to sit for an oral examination by the Interview Panel. Oral examinations by the Interview Panel shall take place after receiving the written examination scores.

The Interview Panel's oral examination and assessment (which examination and assessment shall have 100 points as its maximum score) shall account for 50% of the candidate's total promotional score, with 50 total points being the highest possible score for such oral examination and assessment. By way of example, a candidate receiving a score of 80 points on their oral examination by the Interview Panel shall receive 40 total points for the Interview Panel's oral examination element of the promotional process ($80 \times 50\% = 40$ total points).

The oral examination and assessment by the Interview Panel shall include an evaluation of the following criteria: commendations, employee reviews, disciplines, and early intervention summaries, annual performance evaluations, merit, productivity, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, seniority, leadership ability, initiative, productivity, attitude toward peers, supervising officers' recommendations, motivation and morale, previous job performance, loyalty to the Department and community, experience and career development training. Said Interview Panel shall utilize the same criteria for each candidate interviewed for the open position(s).

Promotion to the rank of Lieutenant.

- (1) Eligibility. No person shall be eligible for promotion to the rank of Lieutenant unless the candidate has served as a Sergeant for the Wyckoff Police Department for at least two years.

The selection process will consist of the following:

- (a) Oral examination administered by an interview panel (the "Interview Panel") comprised of the following persons: the two members of the Township Police Committee, the Chief of Police, and the Township Administrator.

The oral examination and assessment by the Interview Panel (which examination and assessment shall have 100 points as its maximum score) shall account for 70% of the candidate's total promotional score, with 70 total points being the highest possible total score for the Interview Panel's oral examination and assessment. By way of example, a candidate receiving a score of 80 points on their oral review and assessment by the Interview Panel shall receive 56 total points for the Interview Panel oral review and assessment element of the promotional process ($80 \times 70\% = 56$ total points).

The oral examination and assessment by the Interview Panel shall include an evaluation of the following criteria: commendations, employee

reviews, disciplines, and early intervention summaries, annual performance evaluations, merit, productivity, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, seniority, leadership ability, initiative, productivity, attitude toward peers, supervising officers' recommendations, motivation and morale, previous job performance, loyalty to the Department and community, experience and career development training. Said Interview Panel shall utilize the same criteria for each candidate interviewed for the open position(s).

Oral examination and assessment administered by the Township Committee.

The oral examination and assessment by the Township Committee shall take place after the Township Committee's receipt of the oral examination scores of the Interview Panel.

The oral examination and assessment by the Township Committee (which examination and assessment shall have 100 points as its maximum score) shall account for 30% of a candidate's total promotional score, with 30 points being the highest possible total score for the Township Committee's oral examination and assessment. By way of example, a candidate receiving a score of 90 points on their oral examination by the Township Committee shall receive 27 total points for the Township Committee's oral examination element of the promotional process ($90 \times 30\% = 27$ total points).

The oral examination and assessment by the Township Committee shall include an evaluation of the following criteria: commendations, employee reviews, disciplines, and early intervention summaries, annual performance evaluations, merit, productivity, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, seniority, leadership ability, initiative, productivity,

attitude toward peers, supervising officers' recommendations, motivation and morale, previous job performance, loyalty to the Department and community, experience and career development training. Said Interview Panel shall utilize the same criteria for each candidate interviewed for the open position(s).

Promotion to the rank of Captain.

- (1) Eligibility. A person shall be eligible for promotion to the rank of Captain if the candidate has served as a Lieutenant for the Wyckoff Police Department for at least two years.

The selection process will consist of the following:

- (a) Oral examination administered by an interview panel (the "Interview Panel") comprised of the following persons: the two members of the Township Police Committee, the Chief of Police, and the Township Administrator.

The oral examination and assessment by the Interview Panel (which examination and assessment shall have 100 points as its maximum score) shall account for 70% of the candidate's total promotional score, with 70 total points being the highest possible total score for the Interview Panel's oral examination and assessment. By way of example, a candidate receiving a score of 80 points on their oral review and assessment by the Interview Panel shall receive 48 total points for the Interview Panel oral review and assessment element of the promotional process ($80 \times 70\% = 56$ total points).

The oral examination and assessment by the Interview Panel shall include an evaluation of the following criteria: commendations, employee reviews, disciplines, and early intervention summaries, annual performance evaluations, merit, productivity, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, seniority, leadership ability, initiative, productivity, attitude toward peers, supervising officers' recommendations, motivation and morale, previous job performance, loyalty to the

Department and community, experience and career development training. Said Interview Panel shall utilize the same criteria for each candidate interviewed for the open position(s).

Oral examination and assessment administered by the Township Committee.

The oral examination and assessment by the Township Committee shall take place after the Township Committee's receipt of the oral examination scores of the Interview Panel.

The oral examination and assessment by the Township Committee (which examination and assessment shall have 100 points as its maximum score) shall account for 30% of a candidate's total promotional score, with 30 points being the highest possible total score for the Township Committee's oral examination and assessment. By way of example, a candidate receiving a score of 90 points on their oral examination by the Township Committee shall receive 27 total points for the Township Committee's oral examination element of the promotional process ($90 \times 30\% = 27$ total points).

The oral examination and assessment by the Township Committee shall include an evaluation of the following criteria: commendations, employee reviews, disciplines, and early intervention summaries, annual performance evaluations, merit, productivity, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, seniority, leadership ability, initiative, productivity, attitude toward peers, supervising officers' recommendations, motivation and morale, previous job performance, loyalty to the Department and community, experience and career development training. Said Interview Panel shall utilize the same criteria for each candidate interviewed for the open position(s).

Procedure for the conduct of the promotional process.

- (1) The Chief of Police shall obtain permission from the Township Committee to hold a promotional examination process. After

having received such approval, the Chief of Police, or such other person as designated by the Township Committee, shall provide a written announcement of the promotional process to all eligible personnel.

The announcement shall include the eligibility requirements for the position. It shall consist of a description of the promotional process. It should indicate to the candidates the format, length, and duration of any examinations, together with a description of any other portions of the promotional process and the date by which they must submit a written request to participate in the promotional process.

To participate, candidates for promotion shall be required to submit a written request to participate in such process and a current resume to the Chief of Police, or his designee, prior to the closing date set forth in the announcement.

No person shall be eligible to participate in the promotional process unless they have submitted a written request to participate in such process and a current resume prior to the deadline set forth by the Chief of Police.

The promotional testing process shall include the following:

- (a) Written examination (Sergeant only). At least 90 calendar days before the written examination, the Chief of Police, or his designee, shall announce the written examination's date, time, and location. The Township may contract with the New Jersey State Association of Chiefs of Police (NJSACOP) to develop, conduct, and grade the written examination. Alternatively, the Township Committee may approve using a written examination not prepared by NJSACOP. The questions will be based upon basic police practices and may include police and investigative procedures, supervisory and administrative principles, New Jersey criminal law, report writing, search and seizure issues, New Jersey Attorney General guidelines and directives, legal aspects and requirements for police work, and such other criteria as determined by the NJSACOP, or as determined by the Township Committee. Eligible candidates who are scheduled to work during the written examination will be excused from duty to take the examination.

Oral interview by Interview Panel. Candidates for the Sergeant, Lieutenant, and Captain ranks shall be evaluated through an oral interview conducted by the Interview Panel. Each candidate shall be presented with the same questions or topics related to the

respective rank designed to elicit open-ended responses so that the Interview Panel can determine the candidate's promotional potential, maturity, composure, and leadership abilities. Candidates for promotion shall not discuss or disclose the contents or subject matter topics of the oral interview process until all oral interviews are concluded. The Interview Panel may require promotional candidates to sign a confidentiality and nondisclosure agreement to ensure compliance with these requirements. At the discretion of the Township Committee, candidates may be sequestered during the interview process.

Oral interview by Township Committee. Candidates for the ranks of Lieutenant and Captain shall be evaluated through an oral interview conducted by the Township Committee. Each candidate shall be presented with the same questions or topics related to the rank of Lieutenant or Captain (as the case may be) designed to elicit open-ended responses so that the Township Committee can determine the candidate's promotional potential, maturity, composure, and leadership abilities. Candidates for promotion shall not discuss or disclose the contents or subject matter topics of the oral interview process until all oral interviews are concluded. The Township Committee may require promotional candidates to sign a confidentiality and nondisclosure agreement to ensure compliance with these requirements. At the discretion of the Township Committee, candidates may be sequestered during the interview process.

Eligibility list.

- (1) After the expiration of the time for filing of appeals set forth below and the disposition of any such appeal, the Chief of Police shall establish and certify a list of eligible candidates in the order of their final scores for promotion. The candidate(s) for promotion receiving the highest score(s) as calculated hereinabove in this section shall be deemed the first candidate(s) eligible for promotion. Said eligibility list will be distributed to the Township Committee. The eligibility list will remain in effect for a period of 24 months from the date it was established and certified.

After the expiration of the eligibility list, candidates will be required to reapply for and participate in a new promotional process.

Appeals of the promotional process. Within three days of the notification to each candidate of their ranking, a candidate may file a written appeal directed to the Township Committee. Said written appeal must contain

the reason(s) or justification for the appeal. As part of any appeal, any candidate may review their evaluation or any other internal document pertaining to the candidate that was utilized in the promotional process. The Township Committee will assess the request for appeal and determine how the request will be addressed on a case-by-case basis. Scores on the written examination shall be final and not subject to appeal. Appeals to the calculation of seniority shall be decided based on the official records maintained by the Police Department.

SECTION 2. If any section, sub-section, paragraph, sentence, or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect after final adoption and publication and otherwise as provided by law.