

**DENTON COUNTY  
SHERIFF'S OFFICE  
CIVIL SERVICE COMMISSION**

**CHAPTER III  
EMPLOYMENT**

## **EMPLOYMENT PROCEDURES.**

- 3.1 The Denton County Sheriff's hiring process is centralized and managed by the Denton County Human Resources Department. The Human Resources Department shall publicly announce all vacancies to be filled in the County service, and shall maintain a list of announced vacancies on the GovernmentJobs.com website.
- A. The Sheriff or the Sheriff's designee must submit a requisition to the Human Resources Department when desiring to fill a vacancy.
  - B. The Human Resources Department shall prepare a posting which specifies the department, job title and rate of pay of each job available. The listings will also contain statements affirming Denton County's commitment toward Equal Opportunity Employment and compliance with the Americans with Disabilities Act.
  - C. The Sheriff's Office can request that job opportunities be posted internally (accepting applications of County employees only) for at least five (5) days or until the Sheriff's designee and the Human Resources Department agree that a sufficient number of applications has been received. When the Sheriff's Office does not request an internal posting, or when an internal applicant is not selected for employment, positions shall be posted externally (accepting all applications) for at least five (5) days or until the Sheriff's designee and the Human Resources Department agree that a sufficient number of applications has been received.
  - D. Internal and external postings shall be displayed in or near the Human Resources office and on the Denton County Intrasite and/or web page as appropriate. Entry level positions include but are not limited to Deputy Sheriff, Detention Officer, Communications Officer I and other civilian positions considered support or administrative in job description.
  - E. Selected opportunities will be advertised in local media as requested by the Sheriff's designee and as the budget allows.
  - F. The Sheriff may fill vacant positions by reassigning employees within the department if the employees meet the minimum requirements for the job and hold positions of the same grade and salary range. (See Personnel Policy 7.3 – Job Opportunity Listings.)
  - G. Questions regarding job postings should be addressed to the Department of Human Resources.
  - H. All applications submitted will be screened by the Human Resources Department and those applications demonstrating eligibility will be forwarded to the Sheriff's Office. At least three internal candidates must meet the minimum requirements

of the position before the internal posting can be closed and then reopened externally.

### 3.2 **EMPLOYMENT OFFERS FOR ENTRY LEVEL POSITIONS**

- A. Offers for employment are conditioned on successful completion of a medical and psychological examination. Employment is offered by the Sheriff's Office Professional Standards Section only upon delegated approval by the Sheriff.
- B. All jobs which are located in offices where TLETS data is used, stored or are located in shared areas where TLETS data is used, stored or require unescorted access to TLETS areas, are subject to those requirements set by DPS. (See Personnel Policy #2.27, Appendix A).
- C. In addition, any applicant for a position (except for those that are purely administrative in nature) in the Sheriff's Office will be disqualified if the applicant fails any part of the following competitive process:

FBI Criminal Background Check

Typing Test (only where appropriate to the position)

Background Investigation

#### Oral Review Board

The content of the oral examination shall reflect the requirements of the position. A minimum of three (3) and a maximum of seven (7) members shall comprise the Oral Review Board. Ranking for all candidates shall be by the exact same board members and any ranking by board members not present for all candidates shall not be used. Oral Board Questions will be created and ranked based upon responses from 4 categories: Appearance/Presence/Demeanor – 10 pts, Situational Reasoning/Problem Solving/Scenario(s) Response – 30 pts, Communication Skills/Verbal Ability – 30 pts, initiative/Training/Experience – 30 pts for a total of 100 points. The Sheriff, Chief Deputy, and/or the Assistant Chief Deputy from the promotional Division may elect at any time to participate on the Oral Review Board, so long as final makeup of that board remains the same for each candidate reviewed, and the total number of board members does not exceed seven. The chairman of the Oral Review Board shall be selected by the Assistant Chief Deputy of the Division where the available position is located. All board members shall be of equal rank or higher rank than the available position.

Psychological Examination

Polygraph Test

Physical Examination

## Drug Screen

### D. Final Rankings

The final rankings will include the following

100% Oral Review Board Assessment)

### 3.3 PROMOTIONS

A. No employee shall be allowed to apply for a promotion where the employee's supervisor or the Sheriff has sustained any disciplinary action as follows:

- a. If the employee has received Level I or Level II discipline, (s)he shall not be allowed to apply for any promotion for six months from the date of the sustained discipline and/or
- b. If the employee has received Level III discipline, (s)he shall not be allowed to apply for any promotion for 12 months from the sustained discipline.

B. Any employee who is promoted to a position for which a medical examination or psychological evaluation is required must take a medical examination or psychological evaluation prior to entering the new position. If it is determined that the employee cannot perform the essential functions of the new position, the employee will be ineligible for promotion to that position. If an employee does not meet the requirements of a vacant position as stated in the approved job description, the employee shall not be eligible to promote to the vacant position.

C. In addition, any applicant for a position (except for those that are purely administrative in nature) in the Sheriff's Office will be disqualified if the applicant fails any part of the following competitive process:

Typing Test (only where appropriate to the position)

Background Investigation

Performance Tests (Only for positions of Corporal, Sergeant, and Lieutenant)

When budgetary funds allow, testing shall be utilized to select and rank applicants for available positions. Examinations will consist of questions formulated to test the applicant in overall and job specific knowledge. Depending on the position involved, questions may include, but are not limited to: Criminal Law, Traffic Law, Law Enforcement Practices and Procedures, Civil Law as applicable, Texas Jail Standards, Departmental Policies and Procedures, Supervisory and Managerial Philosophies and Current Events.

Employees who are testing will be notified by Sheriff's Office protocol of the date, time and location of the test. At this time, the employee will also be notified of all source material for the test.

When budgetary constraints do not allow for formal testing, job skill assessments may be utilized to select applicants for available positions. These skills will be graded on a Pass or Fail score. The grading employee(s) shall be one level of rank above the available position and will be prohibited from being a member(s) of the oral review board. These assessments will consist of exercises that are specific to the job requirements for the available position.

#### Oral Review Board

The content of the oral examination shall reflect the requirements of the position. A minimum of three (3) and a maximum of seven (7) members shall comprise the Oral Review Board. Ranking for all candidates shall be by the exact same board members and any ranking by board members not present for all candidates shall not be used. Oral Board Questions will be created and ranked based upon responses from 4 categories: Appearance/Presence/Demeanor – 10 pts, Situational Reasoning/Problem Solving/Scenario(s) Response – 30 pts, Communication Skills/Verbal Ability – 30 pts, initiative/Training/Experience – 30 pts for a total of 100 points. The Sheriff, Chief Deputy, and/or the Assistant Chief Deputy from the division from which the promotional opportunity may originate, may elect at any time to participate on the Oral Review Board, so long as final makeup of that board remains the same for each candidate reviewed, and the total number of board members does not exceed seven. The chairman of the Oral Review Board shall be selected by the Assistant Chief Deputy of the division where the available position is located. All board members shall be of equal rank or higher than the available position.

Psychological Examination (only where appropriate for the position)

Physical Examination (only where appropriate for the position)

#### D. Final Rankings

The final rankings will include the following assessments:

100% Oral Review Board (until written tests are instituted)

50% Written Test (once instituted)

50% Oral Review Board

#### E. Tie Breakers (in order)

1. Highest overall assessment in descending order on the Oral Review Board
2. Highest Raw Score on the Test (once instituted)
3. Seniority in the Sheriff's Office excluding breaks of employment
4. Background and performance review to include disciplinary history

### 3.4. RESIDENCY REQUIREMENTS

Peace/Detention/Telecommunications officers must be citizens of the United States of America. All other personnel must be able to provide appropriate documentation (I-9) to

establish that they are legally entitled to reside and work in the United States.

### 3.5 **ELIGIBILITY LISTS**

- A. Candidates will be notified via Sheriff's Office protocol no later than three (3) days following the completion of the process.
- B. The eligibility lists established from the above process will be in effect for six months following the date of candidate notification. Said list will be posted with those eligible for promotion in descending order.
- C. When a position becomes available or is approved by Commissioners Court, the Sheriff shall, within thirty (30) days, designate the #1 candidate from the eligibility list to fill the available or approved position.
- D. Candidates shall be removed from the eligibility list for any of the following reasons:
  - 1. Promotion
  - 2. Declining to accept a promotion twice.
  - 3. Any disciplinary action sustained by the Sheriff or employee's supervisor: Level I & II, 6 months; Level III, 12 months from the date of the sustained discipline.
  - 4. Termination or resignation
  - 5. Voluntary request by the candidate to remove his/her name from the list

### 3.6 **PROBATIONARY PERIOD**

The purpose of a probationary period is to test the capability and willingness of a newly hired employee to perform and to provide a set period of time in which to train the employee in the skills and knowledge necessary to satisfactorily perform newly assigned duties.

The probationary period shall be twelve months from date of hire by the Sheriff. The probationary period does not include time served as a temporary employee or periods of absence in excess of five (5) days during the probationary period. During the probationary period, the employee serves at the pleasure of the Sheriff; must demonstrate their ability to satisfactorily perform the duties required; is not eligible to apply for promotions above an entry level position; and may be separated from employment at any time prior to completion of it. Reasons for failure to complete probation include, but not limited to: violation of Sheriff's Office or Commissioners Court policies, failure to show improvement in deficient areas of a performance evaluation, or failure to meet the expected standards of performance, as determined by the Sheriff or his/her designee. If employees are dismissed during the probationary period, no cause need be cited and no access to the appeal procedure is allowed.

A probationary employee's immediate supervisor will periodically evaluate the employee's job performance and aid and instruct the employee in any areas requiring improvement.

### 3.7 **DEMOTIONS**

- A. Any classified employee may request a demotion to any vacant position with a lower salary for which the employee meets the minimum qualifications, upon the written request of the employee and the written approval of the Sheriff or his/her designee. If the demotion is approved, the demoting employee may be allowed placement over other employees who may wish to promote into the open position.
- B. In accordance with section D of the Salary Guidelines, some common reasons for demotion include for performance, organizational realignment, reduction or reassignment, voluntary demotion, or disciplinary demotion.

### 3.8 **LAYOFFS (REDUCTION IN FORCE)**

- A. A layoff or reduction in force is a decrease in the number of authorized employees resulting from a lack of work, discontinuance of services, organizational changes, fiscal modifications, or changes in fiscal authorization, and is not to be considered a disciplinary action.
- B. Procedure: Whenever it becomes necessary to reduce the number of employees of the Sheriff's Office in the civil service, the Sheriff shall notify the Director of Human Resources in writing of the number, class and title of employees to be laid off, and the date the employees are to be laid off. Upon receipt of such notice, the Director of Human Resources shall give to the Sheriff the names and addresses of the employees who should be first laid off in accordance with this rule.
- C. Under no circumstances shall this section be interpreted as infringing upon or usurping the power and/or statutory authority of the Commissioners Court of Denton County to create, establish, increase in number, abolish, delete, or decrease in number positions, and/or budgeted funds for positions, in accordance with the Rules of the Commission.
- D. Order of Layoff: The order of layoff of employees within the class and within the department in which the reduction of force is to be made shall be: First, temporary employees; Second, probationary employees; Third, regular employees. The order of layoff of regular employees shall be according to the most recent annual performance appraisal of employees within a job category, employees with the lowest performance evaluations to be laid off first.
- E. Seniority for Layoff Purposes: The seniority of an employee for determination of layoff when employee performance appraisals differed by 0.5 or less shall be based upon the number of completed years of continuous County service in the class from which the employee is laid off. Periods of absence on leave shall not be credited as continuous County service, unless the leave is designated to be Family and Medical Leave. Seniority in the class for which the layoff determination is being made shall include service in any other class deemed by the Director of Human Resources, subject to the approval of the Commission, to be of the same character, but of greater responsibility or difficulty. An employee who resigns from the County service, or is dismissed under charges, shall lose all seniority credited to him prior thereto, and subsequent reinstatement or reemployment of the employee shall not restore the seniority so lost.

- F. Demotion In Lieu of Layoff: At the request of the Sheriff, a non-temporary, non-probationary employee may, in lieu of layoff, be offered the option of demotion to a position in a related class, if available. However, such a demotion will not occur if a position is not available.
- G. A probationary employee may be offered the opportunity to accept demotion within the same department to a position in a lower class, provided no such demotion shall in turn require the layoff of any regular employee in the lower class.

### 3.9 **RESIGNATIONS**

An employee who desires to resign in good standing with the Sheriff's Office shall submit his/her written resignation to his/her supervisor and the Sheriff's Personnel Division and, except for good cause shown, give at least a two (2) week notice of his/her intention to leave the organization.

### 3.10 **DISMISSAL**

Employees who are dismissed from the Sheriff's Office may appeal the dismissal as set forth in Chapter 5 Appeals, except that employees on probationary status shall have no right of appeal.

### 3.11 **FITNESS FOR DUTY**

Each employee of the Sheriff's Office must remain physically and psychologically fit to perform the duties of his/her respective position. If the Sheriff receives information of a specific incident or pattern of behavior, including the employee's appearance, general observations, and other evidence, indicating that an employee may no longer be able to perform his job functions, he may require that employee to undergo a fitness evaluation. An employee who is required to take a Fitness for Duty Evaluation shall be placed on Administrative Leave until a final determination is made. Any employee who refuses or fails through his/her own fault to complete a required evaluation may be subject to disciplinary action up to and including dismissal.

The Sheriff shall inform Human Resources in writing that a fitness-for-duty evaluation is needed. The Sheriff shall provide HR with a narrative describing the specific behavior or information as described in the preceding paragraph leading to the request for or decision to require a fitness-for-duty evaluation. Upon receipt of this notice, HR shall arrange for the employee to be evaluated, at County's cost, by a private, independent physician (physicians employed by or under contract with the County are not eligible to perform fitness evaluations). HR shall choose a physician appropriate to the particular circumstances as described in the factual background provided by the Sheriff. For example, if the evaluation is called for because of concerns about the employee's mental health, HR shall choose a psychiatric physician to perform the evaluation. HR shall contact the selected physician to obtain an appointment for the evaluation, which appointment shall be during the employee's regularly scheduled work hours, and shall notify the employee of the appointment time and place. Employee shall submit to the evaluation at the appointed time and may bring any

additional documentation or assessment(s) that he deems necessary with him. If the employee fails to appear for or complete the scheduled evaluation, the employee may be dismissed unless he demonstrates that such failure was beyond his control. In the event of a missed appointment beyond the employee's control, HR shall re-schedule the appointment and provide notice to the employee.

The Sheriff shall review the fitness evaluation of the county-selected physician. If the evaluation indicates that the employee is unfit for duty, the Sheriff may dismiss the employee. If the employee requests an accommodation that will render the employee fit for duty, and if the requested accommodation can be made, the Sheriff may return the employee to duty with the requested accommodation, including reassignment to a non-sworn or civilian position

An employment action made under this policy is final. The employee has no right to appeal such action to the Civil Service Commission.