

RESOLUTION 2009-12

**A RESOLUTION REPEALING PERSONNEL POLICIES AND PROCEDURES SECTION 27, DEPUTY SHERIFFS AND CORRECTIONS OFFICERS, AND REPLACING IT WITH SECTION 27, DEPUTY SHERIFFS, CORRECTIONS OFFICERS, COURT SECURITY, AND DISPATCH OFFICERS**

WHEREAS, the Tooele County Commission finds it necessary to rename and revise Personnel Polices and Procedures Section 27, Deputy Sheriffs and Corrections Officers. The proposed title for Section 27 is Deputy Sheriffs, Corrections Officers, Court Security, and Dispatch Officers. The section is being updated to conform with current job titles and hiring practices.

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE COUNTY COMMISSION that Personnel Policies and Procedures Section 27, Deputy Sheriffs and Corrections Officers, is hereby repealed and replaced with Section 27, Deputy Sheriffs, Corrections Officers, Court Security, and Dispatch Officers, to read as attached hereto, which attachment is, by this reference, made a part hereof.

**EFFECTIVE DATE:** This resolution shall take effect immediately upon passage.

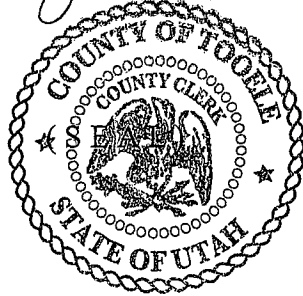
**DATED** this 7<sup>th</sup> day of July 2009.

**ATTEST:**

**TOOELE COUNTY COMMISSION:**

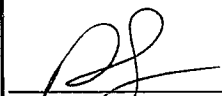
  
MARILYN K. GILLETTE, Clerk

  
COLLEEN S. JOHNSON, Chairman



Commissioner Johnson voted aye  
Commissioner Clegg voted aye  
Commissioner Hurst voted aye

**APPROVED AS TO FORM:**

  
DOUG HOGAN  
Tooele County Attorney

**SECTION 27**  
**DEPUTY SHERIFFS, CORRECTIONS OFFICERS, COURT SECURITY,**  
**AND DISPATCH OFFICERS**

**A. HIRING EXAMINATIONS:**

1. Deputy sheriff, corrections officer, court security, and dispatch registers shall be filled by application and competitive examination. The Human Resources Director and the Sheriff shall jointly fix limits, qualifications, and requirements for any deputy sheriff, corrections, court security, and dispatch officer hiring examination. Each applicant must meet all the physical, mental, and character requirements as prescribed. Each applicant shall file an application and must:
  - a. be at least 21 years of age to take the exam, or 18 years of age for dispatch officers;
  - b. possess a high school diploma or a general educational development certificate;
  - c. possess a valid Utah driver's license at the time of hire;
  - d. be a citizen of the United States at the time of hire;
  - e. be a resident of the State of Utah at the time of hire, and deputy sheriffs must be residents of Tooele County at the time of hire;
  - f. have no disqualifying criminal history; and
  - g. successfully pass the county's comprehensive background investigation, drug test, psychological evaluation, and the Peace Officers Standards and Training (POST) acceptance test or in lieu of the POST test, a written examination proffered by the Sheriff and Human Resources Director.
2. a. The Human Resources Director shall disqualify an applicant for examination who:
  - (1) does not meet advertised qualifications or the basic requirements;
  - (2) has been convicted of a criminal offense unfavorable to the public service or involving moral turpitude; or
  - (3) has practiced or attempted deception or fraud in the application or examination, or in securing eligibility for appointment.
- b. If rejected for examination, the applicant shall be notified by mail at the applicant's last known address.

- c. At any time prior to the date of examination, an applicant may correct a defect in the application.
3. The Human Resources Director shall cause a notice of examination to be published in a newspaper of general circulation in Tooele County not less than seven days prior to the examination. The notice shall also be posted in a conspicuous place in the Sheriff's Office and on the Tooele County website. The notice shall set forth the minimum wage, together with physical and educational requirements.
4. All examinations shall be administered in a fair and impartial manner. Any applicant who has obtained knowledge of the contents of the particular test being given shall be disqualified from the test.
5. Examinations for deputy sheriffs, corrections officers, and court security shall consist of a physical agility test, a written examination, and an interview. The physical agility test for new hires, which must be passed at not less than 50%, shall be conducted by the Sheriff's Office. The written examination shall be administered by a POST-certified testing institution, the cost of which shall be paid by the applicant. An applicant who scores less than 70% on any section of the written test shall be disqualified from further testing and consideration. Applicants who pass the written test will then be scheduled an interview with a board appointed by the Sheriff, which board shall assign a score on the interview of up to 100 points. Each applicant completing an examination shall be promptly notified of the results by mail at the person's last known address.
6. Examinations for dispatchers shall consist of a written examination and an interview. The written examination shall be administered by the Human Resources Director. An applicant who scores less than 35 wpm on the typing test will not advance to the second phase of the written test. An applicant who fails to pass the overall test at 70% shall be disqualified from further testing and consideration. Applicants who pass the written test will then be scheduled an interview with a board appointed by the Sheriff, which board shall assign a score on the interview of up to 100 points. Each applicant completing an examination shall be promptly notified of the results by mail at the person's last known address.

**B. ELIGIBLE REGISTER:**

1. Upon completion of the examinations and interview, the Human Resources Director shall prepare an eligible register containing the names of all persons receiving a passing score in the order of scores earned, beginning with the highest.
2. Register placement will be based on the cumulative score received on the examinations and interview, weighted as follows:
  - a. physical examination, 10%;
  - b. written examination, 40%; and

- c. interview, 50%.
3. Register placement for dispatch will be based on the cumulative score received on the examination and interview, weighted as follows:
    - a. written examination, 60%; and
    - b. interview, 40%.
  4. An eligible register shall expire not later than one year after the date of the examination unless the Human Resources Director, for good reason, and after consultation with the Sheriff, shall extend the time up to one additional year. The promulgation of a new eligible register shall automatically cancel all previous registers for the same class or position.
  5. The name of any person appearing on any eligible register may be removed:
    - a. for failing to respond to a notice from the Human Resources Director within a reasonable time;
    - b. if the applicant declines an appointment;
    - c. if the applicant cannot be located by the normal course of mail;
    - d. at the applicant's own request;
    - e. if any fraud has been disclosed concerning the applicant's application;
    - f. if the name has been placed on the list through clerical error; or
    - g. if investigation by the Sheriff's Office reveals an unfavorable background check.
  6. When a deputy sheriff, corrections officer, court security, or dispatch position becomes available, the Sheriff shall request the Human Resources Director to certify five eligible applicants for the position. The Human Resources Director shall thereupon certify to the Sheriff the names of the five applicants standing highest on the applicable register. The Sheriff may select and appoint one of the persons so certified. If a register contains less than five eligible applicants, then the register shall be abolished. However, if a newly created register contains less than five eligible applicants, then one applicant shall be selected from the register and the register shall thereafter be abolished.
  7. In the event a certified person fails to accept a proffered appointment, such person may, upon request, retain a position on the register if the person submits in writing reasons sufficient to the judgment of the Human Resources Director to justify such failure. However, the person shall be placed at the bottom of the register.

8. An employee discharged or otherwise removed during the probationary period shall not be placed again on the register without passing another regular examination.
9. The Sheriff may decline to use the existing eligible register if he is seeking to fill a position with an officer who is currently POST certified by following the hiring procedure outlined in this Section and Section 7, Hiring.
10. The Sheriff may decline to use the existing eligible register by filling vacancies from in-house recruitment on the basis of performance, knowledge, skills, and qualifications. Only employees who have been initially hired through the regular hiring procedure may be considered for the vacancy.

**C. POSITIONS REQUIRING SPECIAL QUALIFICATIONS:**

In case of vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional, or expert character, upon satisfactory evidence that competition is impracticable and that the position can best be filled by the selection of some designated person of recognized attainments; the Human Resources Director may suspend competition. All such cases of suspension shall be reported together with the reason therefore, in the annual report of the Human Resources Director.

**D. PROMOTIONS:**

1. Promotion to patrol sergeant shall occur only after open, competitive examination, admission to which shall be limited to Tooele County Sheriff's Office deputies with five years in Utah State certified law enforcement experience, three years of that being in Tooele County Sheriff's Office employment as a deputy sheriff. Promotion to corrections sergeant shall occur only after open, competitive examination, admission to which shall be limited to Tooele County Sheriff's Office corrections officers with five years in Utah State certified corrections experience, three years of that being in Tooele County Sheriff's Office employment as a correctional officer. Promotion to court security sergeant shall occur only after open, competitive examination, admission to which shall be limited to Tooele County Sheriff's Office court security officers with five years in Utah State certified patrol, corrections, or special functions experience, three years of that being in Tooele County Sheriff's Office employment as a court security officer. Promotion to dispatch sergeant shall occur only after open, competitive examination, admission to which shall be limited to Tooele County Sheriff's Office dispatch officers with four years in dispatch experience, three years of that being in Tooele County Sheriff's Office employment as a dispatch officer.
2. Applicants will be rated as follows:
  - a. 30% for a written examination administered by the Human Resources Director and the Sheriff;
  - b. 40% for an interview;

- c. 5% for work evaluation, or 20% for dispatch officers;
  - d. 15% for the physical test, but no physical testing requirement for dispatch officers;
  - e. 10% for seniority, based on years of Tooele County Sheriff's Office employment as follows:
    - (1) one percentage point for each year of Tooele County Sheriff's Office employment to a maximum of 10%, and
    - (2) applicants who have been certified officers prior to becoming Tooele County Sheriff's Office employees shall be entitled to receive seniority the same as Tooele County Sheriff's Office employees for one-half of the number of years they worked as an officer in any other certified law enforcement agency. Seniority will only be awarded for the position in which the applicant is testing, i.e. certified law enforcement to patrol sergeant; corrections officer to corrections sergeant; court security to court security sergeant; or dispatcher to dispatch sergeant, etc.
3. After examination, the Human Resources Director shall prepare a promotional register. Certification shall be made in the same manner as from an eligible register. The promotional register shall expire not later than three years after the date of the examination unless the Human Resources Director, for good reason, and after consultation with the Sheriff, shall extend the time up to one additional year. The promulgation of a promotional register shall automatically cancel all previous registers for the same class or position.
4. When a sergeant is to be appointed, the Sheriff shall request the Human Resources Director to certify at least three, but no more than five, eligible persons for the position. The Human Resources Director shall thereupon certify to the Sheriff names of the three, but no more than five, persons standing highest on the promotional register. The Sheriff may select and appoint one of the persons so certified. If a register contains less than three eligible applicants, then the register shall be abolished. However, if a newly created register contains less than three eligible applicants, then one applicant shall be selected from the register and the register shall thereafter be abolished.
5. The promoted person shall serve a six-month probation period after promotion.

**E. DISCIPLINARY PROBATION:**

A Sheriff's Office employee who has been placed on probation as a result of a disciplinary proceeding shall not be entitled to a promotion during the probation period.

**F. REPORTS FROM SHERIFF:**

The Sheriff shall notify the Human Resources Director of the following personnel actions: demotion, reduction in pay, suspension, discharge, temporary layoff, leave of absence in excess of one month, retirement, resignation, specialty appointment, temporary appointment, emergency appointment, and refusal or failure to accept appointment on the part of a certified applicant.

**G. DEPUTY SHERIFF RESIDENCY:**

Notwithstanding any provision to the contrary, the Sheriff may allow a deputy sheriff assigned to serve the Wendover area to live in Wendover, Nevada and to possess a Nevada driver's license so long as that deputy's POST certification is not canceled. All other deputy sheriffs shall be residents of Tooele County.

SECTION 27  
DEPUTY SHERIFFS, AND CORRECTIONS OFFICERS, COURT SECURITY,  
AND DISPATCH OFFICERS

A. HIRING EXAMINATIONS:

1. Deputy sheriff, ~~and corrections officer, court security, and dispatch~~ registers shall be filled by application and competitive examination. The ~~director of personnel management~~ Human Resources Director and the ~~s~~Sheriff shall jointly fix limits, qualifications, and requirements for any deputy sheriff, ~~and corrections, court security, and dispatch~~ officer hiring examination. Each applicant must meet all the physical, mental, and character requirements as prescribed. Each applicant shall file an application and must:
  - a. be at least 21 years of age to take the exam, or 18 years of age for dispatch officers;
  - b. possess a high school diploma or a general educational development certificate;
  - c. possess a valid Utah driver's license at the time of hire;
  - d. be a citizen of the United States at the time of hire;
  - e. be a resident of the State of Utah at the time of hire, and deputy sheriffs must be residents of Tooele County at the time of hire;
  - f. have no disqualifying criminal history; and
  - g. ~~have no DUI conviction in the past two years; and~~
  - h. ~~must~~ successfully pass the county's comprehensive background investigation, drug test, ~~and~~ psychological evaluation, and the Peace Officers Standards and Training (POST) acceptance test or in lieu of the POST test, a written examination proffered by the ~~s~~Sheriff and ~~director of personnel management~~ Human Resources Director.
2. a. The ~~director of personnel management~~ Human Resources Director shall disqualify an applicant for examination who:
  - (1) does not meet advertised qualifications or the basic requirements;
  - (2) has been convicted of a criminal offense ~~inimical~~ unfavorable to the public service or involving moral turpitude; or
  - (3) has practiced or attempted deception or fraud in the application or examination, or in securing eligibility for appointment.



- b. If rejected for examination, the applicant shall be notified by mail at the applicant's last known address.
- c. At any time prior to the date of examination, an applicant may correct a defect in the application.
3. ~~Only employees who have been initially hired through the regular hiring procedure may be considered for the deputy sheriff and corrections officer registers. If unfilled, such registers may then be created by the director of personnel management~~ The Human Resources Director ~~by causing~~ shall cause a notice of examination to be published twice in a newspaper of general circulation in Tooele County, ~~once each in succeeding weeks, and twice with the Newspaper Agency Corporation in Salt Lake City. The last publication shall be not less than seven days prior to the examination. The notice shall also be posted in a conspicuous place in the~~ Sheriff's Office department and on the Tooele County website. ~~The notice may also be published in other newspapers, as the director deems appropriate. The notice shall set forth the minimum wage, together with physical and educational requirements.~~
4. All examinations shall be administered in a fair and impartial manner. Any applicant who has obtained knowledge of the contents of the particular test being given shall be disqualified from the test.
5. Examinations for deputy sheriffs, corrections officers, and court security shall consist of a physical agility test, a written examination, and an interview. The physical agility test for new hires, which must be passed at not less than 50%, shall be conducted by the Sheriff's Office. The written examination will then shall be given administered by a POST-certified testing institution, the cost of which shall be paid by the applicant. An applicant who scores less than 70% on any section of the written test or interview shall be disqualified from further testing and consideration. The applicants who pass the written test will then be scheduled an interview with a board appointed by the Sheriff, which board shall assign a score on the interview of up to 100 points. Each applicant completing an examination shall be promptly notified of the results by mail at the person's last known address.
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3. Register placement for dispatch will be based on the cumulative score received on the examination and interview, weighted as follows:
  - a. written examination, 60%; and
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34. An eligible register shall expire not later than one year after the date of the examination unless the ~~director of personnel management~~ Human Resources Director, for good reason, and after consultation with the sSheriff, shall extend the time not up to exceed one additional year. The promulgation of a new eligible register shall automatically cancel all previous registers for the same class or position.
45. The name of any person appearing on any eligible register may be removed:
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  - b. if the applicant declines an appointment;
  - c. if the applicant cannot be located by the normal course of mail;
  - d. at the applicant's own request;
  - e. if any fraud has been disclosed concerning the applicant's application;
  - f. if the name has been placed on the list through clerical error; or
  - g. if investigation by the sSheriff's ~~o~~Office reveals an unfavorable background check.
56. When a deputy sheriff, or corrections officer, court security, or dispatch position becomes available, the sSheriff shall request the ~~director of personnel management~~ Human Resources Director to certify five eligible applicants for the position. The ~~director of personnel management~~ Human Resources Director shall thereupon certify to the sSheriff the names of

the five applicants standing highest on the applicable register. The Sheriff may select and appoint one of the persons so certified. If a register contains less than five eligible applicants, then the register shall be abolished. However, if a newly created register contains less than five eligible applicants, then one applicant shall be selected from the register and the register shall thereafter be abolished.

67. In the event a certified person fails to accept a proffered appointment, such person may, upon request, retain a position on the register if the person submits in writing reasons sufficient to the judgment of the ~~director of personnel management~~ Human Resources Director to justify such failure. However, the person shall be placed at the bottom of the register.
78. An employee discharged or otherwise removed during the probationary period shall not be placed again on the register without passing another regular examination.
9. The Sheriff may decline to use the existing eligible register if he is seeking to fill a position with an officer who is currently POST certified by following the hiring procedure outlined in this Section and Section 7, Hiring.
10. The Sheriff may decline to use the existing eligible register by filling vacancies from in-house recruitment on the basis of performance, knowledge, skills, and qualifications. Only employees who have been initially hired through the regular hiring procedure may be considered for the vacancy.

#### **C. POSITIONS REQUIRING SPECIAL QUALIFICATIONS:**

In case of vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional, or expert character, upon satisfactory evidence that competition is impracticable and that the position can best be filled by the selection of some designated person of recognized attainments; the ~~director of personnel management~~ Human Resources Director may suspend competition. All such cases of suspension shall be reported together with the reason therefore, in the annual report of the ~~director of personnel management~~ Human Resources Director.

#### **D. PROMOTIONS:**

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Sheriff's Office employment as a court security officer. Promotion to dispatch sergeant shall occur only after open, competitive examination, admission to which shall be limited to Tooele County Sheriff's Office dispatch officers with four years in dispatch experience, three years of that being in Tooele County Sheriff's Office employment as a dispatch officer.

2. ~~The examination will rate a~~ Applicants will be rated as follows:
  - a. 30% for a written examination administered by the ~~director of personnel management~~ Human Resources Director and the ~~s~~Sheriff, which examination must be passed with a ~~score of 70% or better;~~
  - b. 40% for an interview;
  - c. 5% for work evaluation, or 20% for dispatch officers;
  - d. 15% for the physical test, but no physical testing requirement for dispatch officers;
  - e. 10% for seniority, based on years of Tooele County ~~s~~Sheriff's ~~o~~Office employment as follows:
    - (1) one percentage point for each year of Tooele County ~~s~~Sheriff's ~~o~~Office employment to a maximum of 10%, and
    - (2) applicants who have been certified ~~peace or correction~~ officers prior to becoming Tooele County ~~s~~Sheriff's ~~o~~Office employees shall be entitled to receive seniority the same as Tooele County ~~s~~Sheriff's ~~o~~Office employees for one-half of the number of years they worked as ~~peace an~~ officers in any other certified law enforcement agency. Seniority will only be awarded for the position in which the applicant is testing, i.e. certified law enforcement to patrol sergeant; corrections officer to corrections sergeant; court security to court security sergeant; or dispatcher to dispatch sergeant, etc.
3. After examination, the ~~director of personnel management~~ Human Resources Director shall prepare a promotional register. Certification shall be made in the same manner as from an eligible register. The promotional register shall expire not later than three years after the date of the examination unless the ~~director of personnel management~~ Human Resources Director, for good reason, and after consultation with the ~~s~~Sheriff, shall extend the time ~~not up to~~ exceed one additional year. The promulgation of a promotional register shall automatically cancel all previous registers for the same class or position.
4. When a sergeant ~~or corrections sergeant~~ is to be appointed, the ~~s~~Sheriff shall request the ~~director of personnel management~~ Human Resources Director to certify ~~five at least three, but no more than five,~~ eligible persons for the position. The ~~director of personnel management~~ Human Resources Director shall thereupon certify to the ~~s~~Sheriff names of the ~~five three, but no more than five,~~ persons standing highest on the promotional register. The ~~s~~Sheriff may select and appoint one of the persons so certified. If a register contains less than three eligible

applicants, then the register shall be abolished. However, if a newly created register contains less than three eligible applicants, then one applicant shall be selected from the register and the register shall thereafter be abolished.

5. The promoted person shall serve a six-month probation period after promotion.

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**F. REPORTS FROM SHERIFF:**

The sSheriff shall notify the ~~director of personnel management~~ Human Resources Director of the following personnel actions: demotion, reduction in pay, suspension, discharge, temporary layoff, leave of absence in excess of one month, retirement, resignation, specialty appointment, temporary appointment, emergency appointment, and refusal or failure to accept appointment on the part of a certified applicant. ~~Each employee's annual performance review shall include the number of the previous twelve months served in Tooele County Sheriff's Office employment:~~

**G. DEPUTY SHERIFF RESIDENCY:**

Notwithstanding any provision to the contrary, the sSheriff may allow a deputy sheriff assigned to serve the Wendover area to live in Wendover, Nevada; and to possess a Nevada driver's license so long as that deputy's POST certification is not canceled. All other deputy sheriffs shall be residents of Tooele County.