

**RESOLUTION 2004-03**

**A RESOLUTION AMENDING TOOELE COUNTY PERSONNEL POLICIES AND PROCEDURES SECTION 27; ESTABLISHING A CORRECTIONS OFFICER REGISTER**

WHEREAS, it is necessary to establish the corrections officer register and to make other technical corrections;

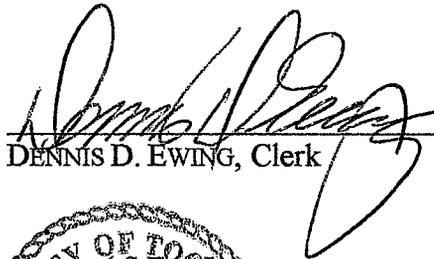
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY THAT Section 27 of the Tooele County Personnel Policies and Procedures is hereby amended to read as attached hereto, which attachment is hereby made a part hereof.

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

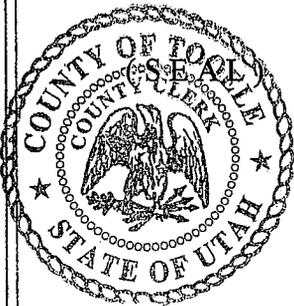
**DATED** this 23<sup>rd</sup> day of March 2004.

**ATTEST:**

**TOOELE COUNTY LEGISLATIVE BODY**

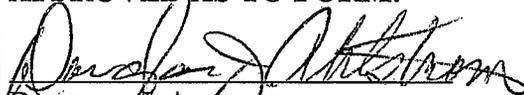
  
DENNIS D. EWING, Clerk

  
DENNIS ROCKWELL, Chairman



Commissioner Rockwell voted yes  
Commissioner White voted yes  
Commissioner Lawrence voted yes

**APPROVED AS TO FORM:**

  
DOUGLAS J. AHLSTROM  
Tooele County Attorney

**SECTION 27**  
**DEPUTY SHERIFFS AND CORRECTIONS OFFICERS**

**A. HIRING EXAMINATIONS:**

1. Deputy sheriff and corrections officer registers shall be filled by application and competitive examination. The director of personnel management and the sheriff shall jointly fix limits, qualifications and requirements for any deputy sheriff and corrections 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;
  - 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;
  - 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 sheriff and director of personnel management.
2. a. The director of personnel management 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 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 by causing 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 department. 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 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 be given 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 applicant 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 director of personnel management 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 examination, weighted as follows:
  - a. physical examination, 10%;
  - b. written examination, 40%; and
  - c. interview, 50%.
3. An eligible register shall expire not later than one year after the date of the examination unless the director of personnel management, for good reason, and after consultation with the sheriff, shall extend the time not to exceed one additional year. The promulgation of a new eligible register shall automatically cancel all previous registers for the same class or position.

4. The name of any person appearing on any eligible register may be removed:
  - a. for failing to respond to a notice from the director of personnel management 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.
5. When a deputy sheriff or corrections officer position becomes available, the sheriff shall request the director of personnel management to certify five eligible applicants for the position. The director of personnel management 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.
6. 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 to justify such failure. However, the person shall be placed at the bottom of the register.
7. An employee discharged or otherwise removed during the probationary period shall not be placed again on the register without passing another regular examination.

**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 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.

**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. 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.

2. The examination will rate applicants as follows:

a. 30% for a written examination administered by the director of personnel management and the sheriff, which examination must be passed with a score of 70% or better;

b. 40% for an interview;

c. 5% for work evaluation;

d. 15% for the physical test;

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 peace or correction 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 peace officers in any other certified law enforcement agency.

3. After examination, the director of personnel management shall prepare a promotional register. Certification shall be made in the same manner as from an eligible register.

4. When a sergeant or corrections sergeant is to be appointed, the sheriff shall request the director of personnel management to certify five eligible persons for the position. The director of personnel management shall thereupon certify to the sheriff names of the five persons standing highest on the promotional register. The sheriff may select and appoint one of the persons so certified.

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 director of personnel management 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 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.