AN ORDINANCE AMENDING SECTION 2.175.080
(POLICE DEPARTMENT MERIT SYSTEM)
OF THE EVANSVILLE MUNICIPAL CODE

WHEREAS, Article XXX of the Collective Bargaining Agreement suggests that the City of Evansville will seek agreement with the Fraternal Order of Police before revising the Police Department Merit System;

WHEREAS, a committee with equal representation from the Fraternal Order of Police and the City of Evansville unanimously recommended certain changes to Section 2.175.080 of the existing Merit System; and

WHEREAS, the Evansville Common Council finds it necessary to amend certain portions of its procedures set forth in Section 2.175.080 of the Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Evansville, Indiana as follows:

Section 1. Amendment of Section 2.175.080 of the Code. Section 2.175.080 of the Evansville Municipal Code is hereby amended by deleting the stricken words and inserting the words underlined as follows:

(A) Promotion Process.

(1) The commission shall issue regulations to govern promotions of members of the Police Department.

(2) There shall be written competitive examinations given for the purpose of filling any vacancies in the ranks. Only members of the Police Department who are qualified in rank and length of service, as provided in this chapter, shall compete in the promotion process and be placed on the promotion eligibility list by the grade received.

(3) The commission is authorized to purchase materials and equipment and allow other necessary expenditures for the purpose of instructing and testing members of the Police Department.

(B) Promotion Requirements.

(1) General Provision. Any regular member of the department in good standing at the time of the examination, who has attended the required number of promotional training sessions, satisfied the professional development requirements as set by this chapter, and met all other requirements listed in this article, may take the promotional examination for which the member is qualified by time in service.
(2) Time of Service.

(a) To take the examination for Corporal, a member must hold the rank of police officer for at least four years prior to the date of examination.

(b) To take the examination for Sergeant, a member must have at least six years with the department prior to the date of examination.

(c) To take the examination for Lieutenant, a member must hold the rank of Sergeant for at least two years.

(d) To take the examination for Captain, a member must hold the rank of Lieutenant for at least two years.

(e) To take the examination for Deputy Chief, a member must hold the rank of Captain for at least two years.

(3) No member demoted for cause may take a promotional examination within two years of the effective date of this demotion.

(4) A member under suspension pending a hearing, or in the process of appeal from the finding made at a hearing, may take a promotional examination, and the member’s right to a ranking on an eligibility list shall be protected in the event of a final hearing in the member’s favor.

(C) Promotion Examination Factors. These regulations shall provide that the following factors shall be basic considerations of rating a member of the Police Department for the purpose of promotion:

(1) Rank of Corporal.

(a) An annual performance evaluation with an acceptable score of three or higher for the last two evaluation periods immediately prior to the examination.

(b) The passing grade of 70% received by a member on a written competitive examination.

(c) The rights acquired by the length of service or tenure.

(2) Examination for Rank of Corporal.

(a) The grade received on a written competitive examination shall be considered 80 percent of the rating. The seniority rights based on the number of years of service as a member of the Police Department shall be considered 20 percent of the rating. Seniority will be figured at the rate of one percent for each full year of
service, not to exceed 20 years.

(b) In the event that ties occur in final total scores, the factors to be used in establishing the relative position of members on the eligibility list shall be:

(i) Written examination score;

(ii) Seniority score;

(iii) Rank on original hiring list.

(3) Rank of Sergeant and Higher.

(a) An annual performance evaluation with an acceptable score of three or higher for the last two evaluation periods immediately prior to the examination;

(b) The passing grade of 70% received by a member on a written competitive examination;

(c) The grade received from an oral interview board;

(d) The grade received from assessment exercises;

(e) The rights acquired by the length of service or tenure.

(4) Examinations for Rank of Sergeant and Higher.

(a) The grade received on a written competitive examination shall be considered 50 percent of the rating. The grade received from the oral interview board shall be considered 20 percent of the rating and the grade received from assessment exercises shall be considered 30 percent of the rating. The seniority rights based on the number of years of service as a member of the Police Department shall be one-fourth of a point per each full year of service as of the date of the written examination. Seniority points will be calculated and added to the total score produced by the other promotional factors. Additionally, points for higher education or military service (but not both) shall be added to the score produced by the other promotional factors in the following amounts: one-fourth of a point for an associate degree, or one-half of a point for a bachelor's degree or higher degree. The degrees must be from an accredited educational institution. Points for active military service, if higher than points for education, shall be added to the score produced by other promotional factors in the following amounts: one-fourth of a point for two years of active service or one-half of a point for four or more years of active service. The maximum higher education points shall be one-half, and the maximum military service points shall be one-half. Points shall be added for higher education or military service (whichever is higher), but not both.
(b) In the event that ties occur in the final total scores, the factors to be used in establishing the relative position of members on the eligibility list shall be:

(i) Assessment score;
(ii) Interview score;
(iii) Written examination score;
(iv) Seniority score;
(v) Rank on original hiring list.

(D) Additional Promotion Factors.

(1) The name or any means of identification of any member taking the competitive or qualifying examination under the provisions of this chapter shall be withheld and made unavailable to the person or persons who grade the examinations, and all written competitive examinations shall be treated and filed as confidential.

(2) The grade received by the individual officer on the written examination shall be made a part of the permanent file of the individual officer taking the examination.

(3) Each member shall be notified in writing by the commission of the grade which the member received on the examination.

(4) The rules and regulations shall further provide that if any member is aggrieved with the grade received on the written competitive examination, the member shall have the right to appeal in writing to the commission for a review of the grade within 10 days after the notice of the grade has been sent to the member, and the commission, after reviewing the grade and examination papers, shall have authority to affirm the grade or to correct the grade according to the findings of the review.

(5) At the expiration of 60 days from the date that the Merit Commission certifies the final grades on the examination, if no member has initiated an appeal, all examination papers shall be destroyed.

(6) The promotion eligibility list shall be maintained for a period of two years. A competitive examination procedure conducted with the approval of the Merit Commission for the purpose of establishing a new promotion eligibility list shall be held prior to the expiration of the previous list. If there are no eligible candidates left on the list for a given rank, the promotion process can be moved up to accommodate the vacancy in that rank.

Section 2. Effective Date. This ordinance shall be in full force and effect on the day of
its final passage and adoption.
PASSED BY the Common Council of the City of Evansville, Indiana, on the 19 day of March, 2018, and on said day signed by the President of the Common Council and attested by the City Clerk.

ATTEST:

Laura Windhorst, City Clerk
City of Evansville, Indiana

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, and to the Mayor of said City, the 22 day of March, 2018, at 3 o’clock p.m. for his consideration and action thereon.

Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 23rd day of March, 2018, at 11 o’clock A.m.

Lloyd Winnecke, Mayor
City of Evansville, Indiana
ORDINANCE G-2018-10

INTRODUCING: Mosby

AN ORDINANCE AMENDING SECTION 2.175.080
(POLICE DEPARTMENT MERIT SYSTEM)
OF THE EVANSVILLE MUNICIPAL CODE

WHEREAS, Article XXX of the Collective Bargaining Agreement suggests that the City of Evansville will seek agreement with the Fraternal Order of Police before revising the Police Department Merit System;

WHEREAS, a committee with equal representation from the Fraternal Order of Police and the City of Evansville unanimously recommended certain changes to Section 2.175.080 of the existing Merit System; and

WHEREAS, the Evansville Common Council finds it necessary to amend certain portions of its procedures set forth in Section 2.175.080 of the Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Evansville, Indiana as follows:

Section 1. Amendment of Section 2.175.080 of the Code, Section 2.175.080 of the Evansville Municipal Code is hereby amended by deleting the stricken words and inserting the words underlined as follows:

(A) Promotion Process.

(1) The commission shall issue regulations to govern promotions of members of the Police Department.

(2) There shall be written competitive examinations given for the purpose of filling any vacancies in the ranks. Only members of the Police Department who are qualified in rank and length of service, as provided in this chapter, shall compete in the promotion process and be placed on the promotion eligibility list by the grade received.

(3) The commission is authorized to purchase materials and equipment and allow other necessary expenditures for the purpose of instructing and testing members of the Police Department.

(B) Promotion Requirements.

(1) General Provision. Any regular member of the department in good standing at the time of the examination, who has attended the required number of promotional training sessions, satisfied the professional development requirements as set by this chapter, and met all other requirements listed in this article, may take the promotional examination for
which the member is qualified by time in service.

(2) Time of Service.

(a) To take the examination for Corporal, a member must hold the rank of police officer for at least four years prior to the date of examination.

(b) To take the examination for Sergeant, a member must have at least six years with the department prior to the date of examination.

(c) To take the examination for Lieutenant, a member must hold the rank of Sergeant for at least two years.

(d) To take the examination for Captain, a member must hold the rank of Lieutenant for at least two years.

(e) To take the examination for Deputy Chief, a member must hold the rank of Captain for at least two years.

(3) No member demoted for cause may take a promotional examination within two years of the effective date of this demotion.

(4) A member under suspension pending a hearing, or in the process of appeal from the finding made at a hearing, may take a promotional examination, and the member’s right to a ranking on an eligibility list shall be protected in the event of a final hearing in the member’s favor.

(C) Promotion Examination Factors. These regulations shall provide that the following factors shall be basic considerations of rating a member of the Police Department for the purpose of promotion:

(1) Rank of Corporal.

(a) An annual performance evaluation with an acceptable score of three or higher for the last two evaluation periods immediately prior to the examination.

(b) The passing grade of 70% received by a member on a written competitive examination.

(c) The rights acquired by the length of service or tenure.

(2) Examination for Rank of Corporal.

(a) The grade received on a written competitive examination shall be considered 80 percent of the rating. The seniority rights based on the number of years of
service as a member of the Police Department shall be considered 20 percent of the rating. Seniority will be figured at the rate of one percent for each full year of service, not to exceed 20 years.

(b) In the event that ties occur in final total scores, the factors to be used in establishing the relative position of members on the eligibility list shall be:

(i) Written examination score;

(ii) Seniority score;

(iii) Rank on original hiring list.

(3) Rank of Sergeant and Higher.

(a) An annual performance evaluation with an acceptable score of three or higher for the last two evaluation periods immediately prior to the examination;

(b) The passing grade received by a member on a written competitive examination;

(c) The grade received from an oral interview board;

(d) The grade received from assessment exercises;

(e) The rights acquired by the length of service or tenure.

(4) Examinations for Rank of Sergeant and Higher.

(a) The grade received on a written competitive examination shall be considered 50 percent of the rating. The grade received from the oral interview board shall be considered 20 percent of the rating and the grade received from assessment exercises shall be considered 30 percent of the rating. The seniority rights based on the number of years of service as a member of the Police Department shall be one-fourth of a point per each full year of service as of the date of the written examination. Seniority points will be calculated and added to the total score produced by the other promotional factors. Additionally, points for higher education or military service (but not both) shall be added to the score produced by the other promotional factors in the following amounts: one-fourth of a point for an associate degree, or one-half of a point for a bachelor's degree or higher degree. The degrees must be from an accredited educational institution. Points for active military service, if higher than points for education, shall be added to the score produced by other promotional factors in the following amounts: one-fourth of a point for two years of active service or one-half of a point for four or more years of active service. The maximum higher education points shall be
one-half, and the maximum military service points shall be one-half. Points shall be added for higher education or military service (whichever is higher), but not both.

(b) In the event that ties occur in the final total scores, the factors to be used in establishing the relative position of members on the eligibility list shall be:

(i) Assessment score;

(ii) Interview score;

(iii) Written examination score;

(iv) Seniority score;

(v) Rank on original hiring list.

(D) Additional Promotion Factors.

(1) The name or any means of identification of any member taking the competitive or qualifying examination under the provisions of this chapter shall be withheld and made unavailable to the person or persons who grade the examinations, and all written competitive examinations shall be treated and filed as confidential.

(2) The grade received by the individual officer on the written examination shall be made a part of the permanent file of the individual officer taking the examination.

(3) Each member shall be notified in writing by the commission of the grade which the member received on the examination.

(4) The rules and regulations shall further provide that if any member is aggrieved with the grade received on the written competitive examination, the member shall have the right to appeal in writing to the commission for a review of the grade within 10 days after the notice of the grade has been sent to the member, and the commission, after reviewing the grade and examination papers, shall have authority to affirm the grade or to correct the grade according to the findings of the review.

(5) At the expiration of 60 days from the date that the Merit Commission certifies the final grades on the examination, if no member has initiated an appeal, all examination papers shall be destroyed.

(6) The promotion eligibility list shall be maintained for a period of two years. A competitive examination procedure conducted with the approval of the Merit Commission for the purpose of establishing a new promotion eligibility list shall be held prior to the expiration of the previous list. If there are no eligible candidates left on the list
for a given rank, the promotion process can be moved up to accommodate the vacancy in that rank.

Section 2. Effective Date. This ordinance shall be in full force and effect on the day of its final passage and adoption.
PASSED BY the Common Council of the City of Evansville, Indiana, on the ___ day of ______________, 2018, and on said day signed by the President of the Common Council and attested by the City Clerk.

ATTEST:

_________________________  ____________________________
James Brinkmeyer          Laura Windhorst, City Clerk
President of the Common Council  City of Evansville, Indiana

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, and to the Mayor of said City, the ___ day of ______________, 2018, at _____ o’clock __.m. for his consideration and action thereon.

_________________________
Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this ___ day of ______________, 2018, at ___________o’clock __.m.

_________________________
Lloyd Winnecke, Mayor
City of Evansville, Indiana