

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Newark Police Department and that are promulgated and maintained by the Department of Human Resources.

1000.2 ADDITIONAL CONSIDERATIONS

- (a) Communications Skills
 - 1. The ability to express oneself clearly in writing and speech. Ability to read with good comprehension. Ability to write a report which accurately describes what has happened. Ability to speak clearly and to make oneself understood.
- (b) Problem-Solving Ability
 - 1. Knowing how to size up a situation, identify the problem, and make a logical decision. Knowing when to take action and what kind of action is appropriate. Using good judgment in making decisions. Ability to see the similarities and differences between the many situations confronted on a daily basis.
- (c) Observational Skills
 - 1. Mental alertness, good observational skills, memory for details.
 - 2. Alertness to signals which indicate that something is wrong.
 - 3. Inquisitive; senses when something is wrong.
 - 4. Suspicious and inquisitive; able to sense when things are not satisfactory.
 - 5. Willingness to Confront Problems
 - 6. Ability to be assertive in a potentially explosive situation. Willingness to confront a problem. Won't back away. Willingness to stop people who are behaving in a suspicious manner and to challenge them. Having the courage to confront a potentially dangerous situation.
- (d) Interest in People
 - 1. Wanting to understand people and to work with them. Having an active interest in working with people. Fairness in dealing with the public regardless of ethnic race, economic level, etc. Having a public service orientation. Wanting to help people.
- (e) Desire for Self-Improvement

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

1. Desire to go out and seek the knowledge which is needed to be a competent law enforcement officer. Seeing oneself as being responsible for learning the job and a willingness to put in the time needed to stay up to date. Having a high degree of interest and self-drive in wanting to improve skills and knowledge. Caring about one's competence as a law enforcement officer, and wanting to improve one's skills.
- (f) Appearance
1. Demeanor as determined by physical appearance, grooming, and personal care. Having personal and professional pride in one's demeanor and appearance. Showing pride in appearance. Professional bearing as determined by neatness and overall grooming.
- (g) Physical Ability
1. Showing the endurance required to do the job. Measuring up to the physical demands of police work. Having good physical coordination, stamina and agility. Being physically able to handle himself/herself when necessary.

1000.3 HIRING INCENTIVE PROGRAM FOR LATERAL POLICE OFFICERS

The purpose of the Hiring Incentive Program for Lateral Police Officers is to reward current regular City employees who recruit qualified candidates who are subsequently hired as regular employees for selected specialized or difficult to fill positions.

1000.3.1 DEFINITIONS

Regular Employee - An employee who has completed his/her probationary period and employed in a full-time or part-time budgeted position.

Specialized or Difficult to Fill Position - Any position that requires specialized skills, either obtained through education or hands-on skills based training, which are not readily available in the general workforce or for which an adequate applicant pool cannot be established. The Chief of Police, or designee, in consultation with the Human Resources Director, shall have the sole discretion to designate selected Specialized or Difficult to fill positions which are subject to this program. The designation of a Specialized or Difficult to fill position will be included in the initial job posting.

1000.3.2 EXCLUSIONS

(a) Police employees specifically excluded from being eligible for the recruitment incentive include:

1. Sworn or professional managers, recruiting for positions within the Police Department.
2. Employees assigned to the Police Department Personnel Unit.
3. Staff involved in the selection process of the candidate.
4. Staff assigned in a direct supervisory, lead or training relationship with the successful candidate.
5. Members of the Police Department Recruitment Committee, while working within the scope of their duties as members of the committee (e.g. working a recruitment position at job fair or other similar duties).

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

(b) The recruitment of any present or former City of Newark employee or anyone employed through an employment agency is excluded from this program.

1000.3.3 EMPLOYEE REFERRAL PROGRAM

The Police Department will pay a total of \$1,500 to any employee who recruits the successful candidate through the selection process to completion of the probationary period.

(a) The employee recruiter will receive \$750 for recruitment of an employee who is hired in a regular full-time position at time of appointment. (b) A second \$750 payment will be paid upon successful completion of the recruited employee's probationary period. (c) Payments will be processed during a regular payroll period and will be reported as taxable income. (d) A recruitment incentive payment will be forwarded to eligible employee recruiters who retire before completion of the probationary period of the recruited employee. However, employee recruiters who terminate employment for any other reason are not eligible to receive any recruitment incentive payment from the date of their termination. Note: Current employees MUST mentor the candidate successfully through the selection process, police academy (if applicable) and field training. (d) It is the responsibility of the recruiting employee to notify the Chief of Police of their recruitment involvement by memorandum via the chain of command. Command staff will determine if the employee recruiter has fulfilled the obligations outlined in subsection 1000.5.3 and ensure qualified employees receive payment. (e) In the event more than one employee makes a valid and certified claim of recruitment on the same job applicant, the Chief of Police, or designee, will determine how the recruitment incentive will be paid. (f) The Chief of Police will resolve any interpretation dispute arising from this policy and may revise or discontinue this program at any time.

1000.4 OTHER INCENTIVES OFFERED TO NEW EMPLOYEES

Other hiring incentives are available to the Chief of Police as an additional recruitment tools to attract highly qualified, performance-oriented candidates for the position of Police Officer. Because of the specialized skill set, qualified people are in demand and significantly complicate the City's efforts to recruit staff to provide public safety services. The below listed incentives are also available for use at the discretion of the Chief of Police, with agreement by the City Manager. They also may revise or discontinue this program at any time.

1000.4.1 STEP FOR STEP HIRING

To attract experienced Officers from other jurisdictions that are earning salary near the top steps of the City's salary range, City Policy will continue to support the Chiefs discretion regarding the salary step that is most appropriate when hiring an experienced Officer.

1000.4.2 LATERAL LEAVE INCENTIVE

At the discretion of the Chief of Police, lateral hires will be eligible for a one time vacation and or sick leave incentive credit adjustment immediately upon hire. Regarding this incentive, the Chief will consider the number of years previously employed as a police officer. The new hire can be granted up to a maximum of 120 hours of vacation leave and up to 100 hours of sick leave. The

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

new hire will not obtain any seniority or leave accrual rights under this program and will follow the provisions of the existing MOU.

1000.4.3 MOVING EXPENSE REIMBURSEMENT

Newly hired police officers are eligible for reimbursement of actual moving and initial rent expenses up to \$2,500 in cases where the newly hired employee lives further than 75 miles from the City of Newark and relocates within 30 miles of the city, or the newly hired employee lives further than 50 miles away from the City of Newark and moves into the city. In order to qualify for this reimbursement a newly hired employee must move within 45 days of their first date of employment. Reimbursement is contingent upon successful completion of probation.

1000.4.4 ACADEMY COST REIMBURSEMENT

Newly hired police officers who have completed the academy within one year of hire and who have not yet been employed by another agency as a police officer are eligible to be reimbursed for all out of pocket academy tuition and related costs. The academy graduate must provide evidence of his/her expenses and the reimbursement is limited to \$2,500. Reimbursement is contingent upon successful completion of probation.

1000.5 POLICY

In accordance with applicable federal, state, and local law, the Newark Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.6 RECRUITMENT

The Administration Division Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Employee referral and recruitment incentive programs.

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

- (f) Consideration of shared or collaborative regional testing processes.

The Administration Division Commander shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

1000.7 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
 - 1. The personnel records of any applicant with prior peace officer experience in this state shall be requested from the appropriate law enforcement agency and reviewed prior to extending an offer of employment (Penal Code § 832.12).
 - 2. This includes review of prior law enforcement employment information maintained by POST (Penal Code § 13510.9).
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Lie detector test (when legally permissible) (Labor Code § 432.2)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

1000.7.1 VETERAN'S PREFERENCE

Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be ranked in the top rank of any resulting eligibility list. The veteran's

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

preference shall also apply to a widow or widower of a veteran or a spouse of a 100 percent disabled veteran (Government Code § 18973.1).

1000.8 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Newark Police Department (11 CCR 1953).

The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953).

1000.8.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (15 USC § 1681d; Civil Code § 1786.16).

1000.8.2 STATE NOTICES

If information disclosed in a candidate's criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

1000.8.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Administration Division Commander shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).

The Administration Division Commander should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches, and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate, and validated.
- (c) The Department fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Administration Division Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.8.4 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a narrative report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall reference the Background

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

Investigation Dimensions and include any findings of behaviors, traits, and/or attributes relevant to bias per the Bias Assessment Framework as described in the POST Background Investigation Manual. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file (11 CCR 1953).

The background investigator shall document proof of verification of qualification for peace officer appointment on the Verification of Qualification for Peace Officer Appointment form and forward to the Administration Division Commander for final review and submission to POST (11 CCR 1953).

1000.8.5 RECORDS RETENTION

The background report and all supporting documentation shall be maintained for a minimum of four years and in accordance with the established records retention schedule (Government Code § 12946; 11 CCR 1953).

1000.8.6 INVESTIGATOR TRAINING

Background investigators shall complete POST-certified background investigation training prior to conducting investigations (11 CCR 1953; 11 CCR 1959).

1000.8.7 BACKGROUND INVESTIGATION UPDATE

A background investigation update may, at the discretion of the Chief of Police, be conducted in lieu of a complete new background investigation on a peace officer candidate who is reappointed within 180 days of voluntary separation from the Newark Police Department, or who is an interim police chief meeting the requirements contained in 11 CCR 1953(f).

1000.9 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

1000.10 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; Penal Code § 13510.1; 11 CCR 1950 et seq.). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.10.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by POST or required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

- (a) Free of any felony convictions
- (b) Be legally authorized to work in the United States under federal law
- (c) At least 21 years of age except as provided by Government Code § 1031.4
- (d) Fingerprinted for local, state, and national fingerprint check
- (e) Good moral character as determined by a thorough background investigation (11 CCR 1953)
- (f) High school graduate, passed the GED or other high school equivalency test, or obtained a two-year, four-year, or advanced degree from an accredited or approved institution
- (g) Free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)
- (h) Free of hate group memberships, participation in hate group activities, or advocacy of public expressions of hate within the previous seven years, and since 18 years of age, as determined by a background investigation (Penal Code § 13681)
- (i) Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):
 - 1. Reading and writing ability assessment (11 CCR 1951)
 - 2. Oral interview to determine suitability for law enforcement service (11 CCR 1952)
- (j) POST certification that has not been revoked, denied, or voluntarily surrendered pursuant to Penal Code § 13510.8(f)

Newark Police Department

Newark PD Policy Manual

Recruitment and Selection

- (k) Not identified in the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training or similar federal government database that reflects revoked certification for misconduct or reflects misconduct that would result in a revoked certification in California.

In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Department (Penal Code § 13510(d)).

1000.10.2 STANDARDS FOR DISPATCHER

Candidates shall satisfy the POST selection requirements, including (11 CCR 1956):

- (a) A verbal, reasoning, memory, and perceptual abilities assessment (11 CCR 1957)
- (b) An oral communication assessment (11 CCR 1958)
- (c) A medical evaluation (11 CCR 1960)