

ARTICLE VIII – PROMOTIONS (N.R.S. 23-1733)

SECTION 1: PROMOTION BY COMPETITIVE EXAMINATION

1. To fill vacancies in a particular class or rank, the Sheriff, on the approval of the Merit Commission, must make his selection based upon competitive examination. A promotional competitive examination shall be limited to the employees of the Lancaster County Sheriff's Office. An employee, to be eligible to compete for promotion, must be a permanent employee and must meet the minimum qualifications as to years of service. Examinations shall be open to all members of the classified service that request permission and are eligible to take the examination.
2. Appointments to the rank of captain shall be made at the discretion of the Sheriff from the group of deputies holding the rank of sergeant.

SECTION 2: NOTICES

1. Notices of examination of applicants for promotion in the classified service shall be given by posting notice of the same, signed by the Personnel Director (hereinafter "Director") of the Commission, on all official bulletin boards at least 30 days prior to the examination. Such notice shall include a description of the method to be used for the examination. The time and place of examination, as determined by the Director, shall be posted at least 72 hours prior to the examination. Copies of all notices to the classified service shall be posted and remain posted on all bulletin boards designated as "official bulletin boards." One such board shall be maintained in the Sheriff's Office in the courthouse. All such boards shall be placed in a conspicuous place, freely accessible to all personnel.

SECTION 3: METHOD OF MAKING PROMOTIONS

1. As far as is practicable and feasible, unless filled by lateral transfer, a vacancy shall be filled by promotion of a qualified permanent employee of the classified service.
2. To be eligible for promotion to sergeant, a deputy must have three years of continuous service in the classified service of the Lancaster County Sheriff's Office as of the date of the written examination. The Sheriff will be required to offer an eligibility examination prior to any promotion for which a currently-approved register is not in effect. The notice provision of Article VIII, Section 2, of the rules shall be complied with.
3. The promotional competitive examination shall be designed to reveal the applicant's general knowledge of leadership, management, supervision and their practical application, as well as their knowledge of the technical aspects of law enforcement and other tasks comprising the work of sheriff's deputies.
4. The promotional competitive examination shall be presented by the Director to the Commission for their approval. The promotional competitive examination shall consist of either a written and oral examination or a customized examination process facilitated by a neutral third party.
5. If a written and oral examination are used:
 - a. The written examination and answers shall be compiled by the Director or his designee in

- a sufficient quantity so as to allow a specific number of them to be chosen for each test. A set of questions selected for a test from this question pool shall be used only once, then returned to the pool and another set of questions selected for the next test.
- b. The written examination shall be conducted by the director or his representative. This person shall confidentially score the written examination on a percentage basis. This percentage figure is designated the "written examination rating."
 - c. Only those eligible applicants whose scores on the written examination are among the ten highest scores or the top 50% of the scores, whichever is greater, may proceed to the oral examination. The oral examination shall include, in addition to questions designated by the Director, inquiry into the applicant's experience in work involved in the vacant position and training qualifications for such work.
 - d. The oral examination board shall consist of five members of the classified service selected by the Director and approved by the Merit Commission.
 - e. Through oral review, each member of the Oral Examination Board shall assign a numerical rating to each applicant, based on a scoring system established by the Director and approved by the Merit Commission. The ratings by each Oral Examination Board member of an applicant shall be averaged confidentially by the Director or his representative after the highest and lowest ratings have been deleted. The average of the three remaining ratings shall be designated the "oral evaluation rating," and given a percentage value.
 - f. The written examination rating and the oral evaluation rating shall be maintained confidentially by the Director or his representative until all ratings have been determined for all the applicants. The Director or his representative shall assign a weight of 40% to the written examination and 60% to the oral evaluation for each applicant in compiling the overall score, which shall be designated the "promotional examination rating."
 - g. The written examination ratings and oral evaluation ratings shall be made available to the applicants only after the promotional examination ratings have been determined. The Director or his representative shall rank the applicants by their score as indicated by the promotional examination ratings. Seniority shall be controlling only when other factors are equal.
6. If a customized examination process is used:
- a. The customized examination process will consist of two phases.
 - b. Phase 1 will consist of a written examination.
 - i. The written examination questions and answers shall be compiled by the Director or his designee in a sufficient quantity so as to allow a specific number of them to be chosen for each test. A set of questions selected for a test from this question pool shall be used only once, then returned to the pool and another set of questions selected for the next test.
 - ii. The written examination shall be conducted by the Director or his representative. This person shall confidentially score the written examination on a percentage basis. This percentage figure is designated the "written examination rating."
 - iii. Only those eligible applicants whose scores on the written examination are among the ten highest scores may proceed to Phase 2 of the customized examination process. Multiple candidates who are tied for the tenth highest score will be allowed to advance to Phase 2.
 - c. Phase 2 will consist of one or more of the following: an in-basket exercise, scenario

- evaluation, and an oral examination board.
- i. In-basket exercises shall be conducted and confidentially scored by the Director or his representative,
 - ii. Scenario evaluations shall be facilitated by a neutral third party designated by the Director,
 - iii. Scenario evaluations shall be designed to comply with section 3(3) above and shall not require any candidate to demonstrate proficiency in physical use of force or other activities that could foreseeably subject the candidate to unnecessary injury,
 - iv. Scenario evaluations shall be confidentially scored by a four member panel selected by the Director or his representative and comprised of Nebraska certified law enforcement officers from outside the Lancaster County Sheriff's Office classified service. Scenario evaluation panel members shall hold the rank of lieutenant or higher.
 - v. Oral examinations shall include, in addition to questions designated by the Director, inquiry into the applicant's experience in work involved in the vacant position and training qualifications for such work,
 - vi. Oral examinations shall be confidentially scored by a four member panel selected by the Director or his representative and comprised of Nebraska certified law enforcement officers from outside the Lancaster County Sheriff's Office classified service. Oral examination panel members shall hold the rank of lieutenant or higher.
- d. The components of the customized examination process shall be conducted and scored in a uniform manner for all candidates.
- e. The customized examination rating shall be maintained confidentially by the Director or his representative until all ratings have been determined for all the applicants. The Director or his representative shall assign equal weights to each part of the customized examination for each applicant in compiling the overall score, which shall be designated the "promotional examination rating". Seniority shall be controlling only when other factors are equal.
7. The promotional examination ratings of candidates in rank order will comprise a register of deputies eligible for promotion to the rank of sergeant. The register shall remain in effect for one year from the date of its approval by the Commission. The Sheriff, with the approval of the Merit Commission, may terminate the approved register and request a new eligibility list be created. The Sheriff shall promote to the rank of sergeant from the top three ranking candidates on the register. If a deputy on the register is promoted, leaves the employment of the department, or declines a promotion, he shall be deleted from the register, and the Sheriff shall make his selection from the three highest ranking remaining candidates on the register.
8. The Sheriff, in an emergency, may make temporary appointments to a higher-ranking vacated position within the office for a period not to exceed 60 days. Any persons appointed to a vacated position shall be paid at the rate established for that position for such period as the person fills such vacancy.