

ORDINANCE 2024-6

**ORDINANCE OF THE TOWNSHIP OF MULLICA CREATING A POLICE
DEPARTMENT PROMOTIONAL PROCESS**

WHEREAS, it has been determined by the Mullica Township Mayor and Committee to establish and codify a Police Department Promotional Process.

NOW, THEREFORE, BE IT ORDAINE, by the Mayor and Committee of the Township of Mullica, County of Atlantic, State of New Jersey, as follows:

Section 1. Purpose. To provide all eligible candidates for promotion with fair notice and equal access to the promotional process. Additionally, to strive to identify the most qualified members of the police department for promotion to leadership positions within the department and to set forth the components of the promotional process that will be utilized by the Chief of Police and the Township Committee (the “Appropriate Authority”).

Section 2. Policy. Promotion denotes vertical movement in the organization hierarchy from one rank to another, accompanied by increases in salary. The promotional process begins with identifying employees who have the potential for assuming greater responsibility and who possess the skills, knowledge and abilities required to perform at the level of being considered for promotion. The Appropriate Authority will use a promotional process governed by N.J.S.A. Title 40A. The Chief of Police and the Appropriate Authority are responsible for carrying out the promotion process.

Section 3. Procedure.

I. GENERAL

A. The Chief of Police shall be responsible for coordinating the promotional process with the Appropriate Authority.

B. Promotional Process

1. Only officers who are members of this department at the time of promotional process are eligible for consideration in accordance with New Jersey law.
2. To be eligible for promotion in the promotion process, candidates must meet all the criteria established for such promotion on the date of the vacancy announcement.

II. SERGEANT – ELIGIBILITY REQUIREMENTS

A. Should have served at least three (3) years with the Mullica Township Police Department (N.J.S.A. 40A:14-130).

- B. Preferred, but not required, a minimum of sixty (60) credits from an accredited college.
- C. Must successfully pass all written, oral, and/or other tests if same are required pursuant to policies established by the Chief of Police and approved by the Appropriate Authority.
- D. In the event no personnel within the department meet the established requirements for this rank, an outside appointment of a person that does meet the criteria may be made after advertising, investigating, and screening of applicants as per N.J.S.A. 40A:14-118. No person shall be passed over for consideration for a promotion or position for any reason, other than a deficiency in qualifications or just cause.

III. LIEUTENANT – ELIGIBILITY REQUIREMENTS

- A. Should have served with the Mullica Township Police Department for a period of at least five (5) years and has served in the rank of Sergeant for at least one year.
- B. Preferred, but not required, a minimum of sixty (60) credits from an accredited college.
- C. Must successfully pass all written, oral and/or other tests if same are required pursuant to policies established by the Chief of Police and approved by the Appropriate Authority.
- D. In the event no personnel within the department meet the established requirements for this rank, an outside appointment of a person that does meet the criteria may be made after advertising, investigating, and screening of applicants as per N.J.S.A. 40A:14-118. No person shall be passed over for any promotion or position for any reason, other than a deficiency in qualifications or just cause.

IV. CAPTAIN – ELIGIBILITY REQUIREMENTS

- A. Should have served with the Mullica Township Police Department for a period of at least five (5) years and has served in the rank of Sergeant or Lieutenant for at least one year.
- B. Preferred, but not required, a minimum of sixty (60) credits from an accredited college.
- C. Must successfully pass all written, oral and/or other tests if same are required pursuant to policies established by the Chief of Police and approved by the Appropriate Authority.

D. In the event no personnel within the department meet the established requirements for this rank, an outside appointment of a person that does meet the criteria may be made after advertising, investigating, and screening of applicants as per N.J.S.A. 40A:14-118. No person shall be passed over for any promotion or position for any reason, other than a deficiency in qualifications or just cause.

V. ELIGIBILITY REQUIREMENTS AND PROMOTIONAL PROCEDURE CHIEF OF POLICE

Candidates for the position of Chief of Police shall participate in a promotional procedure administered by the Appropriate Authority if there are multiple candidates that meet the qualifications set forth herein. In the event no personnel within the police department meet the established requirements for this rank, an outside appointment of a person may be made after advertising, investigating, and screening of applicants as per N.J.S.A. 40A:14-118. No person shall be passed over any promotion or position for any reason, other than a deficiency in qualifications or just cause. A Review Committee shall be established by the Appropriate Authority. The Review Committee shall consist of the Mullica Township Mayor, the Committee Liaison to Public Safety, the Business Administrator, a ranking Officer/Member of the Atlantic County Association of Police Chiefs. The Review Committee shall consider the following: the candidates' knowledge of criminal law and procedure, police science and administration, leadership and management ability, general knowledge of Mullica Township local government and N.J.S.A. 40A:14-118, the candidates' poise, alertness, ability to communicate clearly and effectively, ability to affect good working and public relations and moral character. Eligible candidates must have a minimum of ten (10) years progressive police experience and must possess a minimum of three (3) years of supervisory policy experience. A minimum of sixty (60) credits from an accredited college is preferred, but not required. To be considered for the position of Chief of Police, the candidate(s) must be currently serving with the Mullica Township Police Department, in a non-probationary status, in the rank of Sergeant or higher. The promotional testing procedure for the Mullica Township Police Department for the position of Chief may consist of a written and/or oral examination as determined by the Review Committee.

VI. GENERAL REQUIREMENTS.

Any person promoted by the Appropriate Authority to a ranking position within the Mullica Township Police Department must have and satisfy all the eligibility requirements in addition to the advanced requirements for the position in consideration. All promotions will be made by the Appropriate Authority in its discretion, and all applicable New Jersey Statutes.

VII. CANDIDATES ON ELIGIBILITY LIST

The Appropriate Authority shall, at all times, have the option of choosing from the top three (3) candidates on the eligibility list for all promotions.

VIII. PROBATIONARY PERIOD

- A. All promotions shall be probationary for a six-month period, and then automatically become permanent, if not vacated by the Appropriate Authority. In the event an appointment is made to a ranking position in the Police Department, due to no qualified candidate being available for promotion, said appointment will be probationary for one year.
- B. All promotions may be vacated or terminated with or without cause after written notice from the Appropriate Authority without any further due process or right to a hearing during the probationary period.

IX. PROMOTIONS

- A. The Township of Mullica governing body desires to promote the most qualified candidates to positions of higher ranks. This Ordinance establishes the eligibility requirements and the process for promotion to all higher ranks except Chief of Police, which is outlined in Paragraph V. The promotion process shall be on the basis of merit, experience, education, demonstrated ability and any competitive examinations. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the department unless there is no qualified candidate. No person shall be eligible for promotion unless he or she shall have served as a full-time police officer in the Mullica Township Police Department for at least a period of three (3) years (N.J.S.A. 40A:14-130). No person shall be eligible for promotion to be a superior officer unless he or she has previously served as patrolman in such department or force (N.J.S.A. 40A:14-129).
- B. Upon receiving the instructions from the Appropriate Authority to do so, the Chief of Police shall announce the promotional process to members of the department at least 45 days before any written test or oral test is to be conducted. The announcement shall be distributed through Power DMS to all members of the department. The announcement shall contain, at a minimum, the rank to be filled, the dates of any exams that will be given, as prescribed by the Chief of Police and the Appropriate Authority, the source materials or reading lists from which the exam questions will be taken or topics from which the questions will be formulated. Candidates who are qualified shall notify the Chief of Police and Township Administrator of his or her interest in participating in the promotional process by submitted a letter of interest no later than 10 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

- C. (1) Where two or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service.
- (2) Where two or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate who is a resident of the municipality and shall be appointed rather than a nonresident. (N.J.S.A. 40A:14-122.6)
- D. The Review Committee will be tasked with finalizing the rankings of all candidates who participate in the promotional process and developing a promotional list for submission to the Appropriate Authority.
- E. Promotional testing procedure. The promotional testing procedure for the Mullica Township Police Department for the rank of Sergeant, Lieutenant and Captain shall consist of a written examination if prescribed by the Review Committee, conducted by the Atlantic County Association of Chiefs of Police, and an oral examination conducted by the Review Committee in which all candidates will be given the same questions, a review of the candidates' service record, education, merit and experience.

Sergeant Position

<u>Type</u>	<u>Weight</u>
Written Test	40%
Oral Exam	40%
Leadership Assessment	15%
Education	5%
Associate's Degree	2.5%
Bachelor's Degree	5%
Two years of honorable military experience may be substituted in the absence of an associate degree equal to 2.5%.	

* Discipline shall be deducted per occurrence, for each event that occurred as a demotion or suspension of 6 days or more in the preceding five years of the announcement of the examination process. For this type of discipline 2.5% will be deducted from the overall score for each occurrence.

* If the Appropriate Authority does not prescribe a written examination all eligible candidates will receive credit for the full percentage potential of the written test (40%).

Superior Officer (Captain/Lieutenant) Position

<u>Type</u>	<u>Weight</u>
Written Test	40%
Interview with Review Committee	40%
Leadership Assessment	15%
Education (see below)	5%

Associate's Degree 2.5%
Bachelor's Degree 5%

Two years of honorable military experience may be substituted in the absence of an associate degree equal to 2.5%.

* Discipline shall be deducted per occurrence, for each event that occurred as a demotion or suspension of 6 days or more in the preceding five years of the announcement of the examination process. For this type of discipline 2.5% will be deducted from the overall score for each occurrence.

* If the Appropriate Authority does not prescribe a written examination all eligible candidates will receive credit for the full percentage potential of the written test (40%).

Chief of Police Position (See Article V)

F. Promotional List: The Review Committee shall rank each candidate based on the total score as outlined above. The candidates shall then be ranked from the highest to the lowest based on their score. The list shall include the candidates' names and the final overall scores.

1. The Review Committee shall then submit the results of the process listing the breakdowns and final scores of the candidates and any other information that may be deemed pertinent to the Appropriate Authority for final decision.
2. Candidates who achieve an overall score of 70% or greater shall be placed on a promotional list which will be ranked in descending order. This list will expire two years from the date that such promotional list is created and distributed to all department sworn officers through Power DMS.

G. At the end of the promotional process candidates may request to review their scores that equate to their overall final ranking.

Section 4. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Section 5. All Ordinances or parts of Ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 6. This Ordinance shall only take effect after final adoption and publication as required by law.

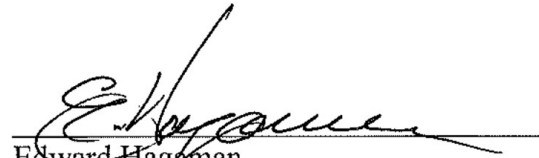
INTRODUCTION: March 26, 2024

PUBLICATION: March 27, 2024

ADOPTION: April 16, 2024


PUBLICATION: April 17, 2024

EFFECTIVE: April 17, 2024


Edward Haggaman
Mayor


CERTIFICATION

I, Krystel M. Arana, Municipal Clerk of the Township of Mullica, County of Atlantic, State of New Jersey, do hereby certify that the foregoing Ordinance 2024-6 was introduced by the Mayor and Committee of the Township of Mullica at a Regular Meeting held on Tuesday, March 26, 2024.


Krystel M. Arana
Municipal Clerk

CERTIFICATION

I, Krystel M. Arana, Municipal Clerk of the Township of Mullica, County of Atlantic, State of New Jersey, do hereby certify that the foregoing Ordinance 2024-6 was adopted by the Mayor and Committee of the Township of Mullica at a Regular Meeting held on Tuesday, April 16, 2024.


Krystel M. Arana
Municipal Clerk