

# General Order

## Houston Police Department



ISSUE DATE:

February 2, 2017

NO.

300-03

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 300-03, dated May 20, 2002

SUBJECT: SENIORITY

### POLICY

Seniority is used throughout the department as a factor in making decisions relative to personnel issues including, but not limited to, time off and shift assignments. Generally, employees with more seniority shall be allowed to exercise their preferences on these matters before employees with less seniority.

Other types of seniority may be provided for by law, City policies, or other department policies. This policy does not apply to situations in which other specific provisions exist.

This General Order applies to all employees below the level of division commander.

### DEFINITIONS

**Management Need.** A specific, defined operational or management objective.

**Mid Manager.** Any employee having supervisory authority above the level of a first-line supervisor and below the level of division commander.

**Multiple Holidays.** The holidays of Christmas Eve, Christmas Day, and New Year's Day.

**Personnel Requirements.** The combination of job skills, knowledge, work experience, interest of the employee, etc., required for a particular assignment.

**Rotating Seniority List.** A list arranged by seniority on which employees desiring a *multiple holiday* off indicate if the holiday is their first, second, or third choice.

**Time in Grade.** Time spent at a certain classified rank or civilian job classification.

### 1 EMPLOYMENT DATE

The calculations for employment dates shall be determined as indicated in the following subsections.

#### Civilian Employees

The employment date for civilian employees is the date they began employment with the City of Houston as determined by the Houston Police Department and the City of Houston Human Resources Department.

#### Classified Employees

The employment date for classified employees is the date the employees began cadet training. However, in some instances classified employees have served as police officers with the City of Houston without receiving cadet training or before they received cadet training. The employment date for such classified employees is the first day of their employment as a police officer with the City of Houston.

#### Employment Date Adjustments

Employment dates shall be appropriately adjusted for rehire situations in which civilian or classified employees have prior employment service with the City of Houston. Such adjustments shall preserve the rehired employee's past seniority as determined appropriate by the Houston Police Department and the City of Houston Human Resources Department. The adjusted employment date is referred to as the Comp Date.

Absences for military leave for service with the armed forces of the United States do not affect employment date calculations or an employee's position on a promotional list. Also, unpaid leaves of absence and disciplinary suspensions totaling 90 *calendar* days or less in any 36-month period do not affect employment date calculations or an employee's position on a promotional list.

Employment dates shall be appropriately adjusted for unpaid leaves of absence and disciplinary suspensions that are over 90 *calendar* days in duration as follows. If an unpaid extended leave of absence is approved by the Police Officers Civil Service Commission (POCSC) or City Council under the applicable ordinance and policy, the employment date adjustment shall take into account only those days in excess of 90 *calendar* days. However, for disciplinary suspensions and all other unpaid leaves of absence (not approved by POCSC or City Council), employment dates shall be adjusted for the entire duration of the absences totaling in excess of 90 *calendar* days in any 36-month period.

## 2 DETERMINING CLASSIFIED SENIORITY

Classified employees' seniority is determined as indicated below. Should a tie in seniority ranking remain, the lowest employee number shall determine highest seniority.

### Police Officer Rank

Senior police officers, police officers, and probationary police officers shall be considered together in the one rank of *police officer* for the purpose of seniority classification.

Seniority for employees of the rank of police officer is determined by their employment dates. Seniority for officers having identical employment dates *and* who are

out of the same academy class is determined by their overall class ranking. This rule does not apply to academy classes for which such information is no longer available.

### Sergeants and Lieutenants

Seniority within each rank for sergeants or lieutenants shall be determined by their *time in grade*. Seniority for sergeants or lieutenants having identical *time in grade* and who are on the same promotional list is determined by their position on said promotional list.

## 3 DETERMINING CIVILIAN SENIORITY

Civilian seniority shall be determined as indicated in Step 1 below and proceed sequentially down the steps until a tie in seniority no longer exists. Should a tie in seniority ranking remain, the lowest employee number shall determine highest seniority.

### a. Step 1

Seniority for civilian employees shall be determined by the time they have worked in a job classification or job group with the City of Houston except as indicated.

Seniority for senior jail attendants or police telecommunicator supervisors who have the same *time in grade* and who are on the same candidate list is determined by their position on said candidate list. The Emergency Communications and Jail divisions shall permanently maintain their respective candidate lists.

### b. Step 2

Seniority for civilians shall be determined by the time they have held a position in the Houston Police Department.

c. **Step 3**

Seniority for civilians shall be determined by their employment dates.

4 **JOB GROUPS**

Employees performing similar tasks in the same assignment may be combined into one job group for the purpose of determining seniority. When job groups are formed, they shall be based on job functions and responsibilities rather than specific job classifications. When classified employees and civilians perform similar tasks, they may be combined into one job group (e.g., classified dispatcher supervisors and police telecommunicator supervisors).

Division commanders shall document any job groups they have created for seniority purposes in their division standard operating procedures.

When classified employees are using seniority to compete with civilians, the civilian seniority calculation method shall apply to both civilian and classified personnel.

5 **GENERAL GUIDELINES**

The following procedural guidelines pertain to the application of seniority:

- a. Seniority operates within the assigned divisions only.
- b. Employees may not bump other employees from their current positions, scheduled time off, or shifts. However, employees who have leave approved prior to being moved, reassigned, or transferred shall, when possible, be allowed to take the leave as originally scheduled.
- c. Seniority becomes effective on the transfer date.

- d. Division commanders are not required to consider mid managers' seniority.

6 **TIME OFF AND VACANCIES**

Divisions or sections with special scheduling or assignment issues may modify the procedures listed in this section. Any alternative procedures shall follow the policy in this section as closely as practicable. Alternative procedures shall be documented in the division's standard operating procedures.

**Time Off**

Seniority is the primary criterion used for scheduling time off (except for *multiple holiday* periods). For scheduling time off, seniority shall be applied to only the same shift of the same section of a division.

**Vacancies**

Vacancies shall be filled through intra-divisional reassignment or transfer as defined in General Order 300-02, **Transfer of Classified Employees**. Seniority shall be the primary criterion when using intra-divisional reassignment to fill vacancies. In such instances, seniority shall be applied across all shifts and all sections of a division.

**Exceptions**

Seniority shall not be the only factor considered in filling assignments, making schedules, or assigning shifts. Division commanders shall also consider *management needs* and *personnel requirements* in making such decisions. The department may place employees in those assignments for which they are best suited or which best suit the department, regardless of seniority.

When application of seniority creates a void in *personnel requirements* within a particular assignment, the division commander

shall make assignments and schedules according to the needs of the division.

When the application of seniority may have to be modified or suspended due to unusual circumstances such as division reorganization or division downsizing, written justification for such action shall be submitted to the Chief of Police for approval. Guidelines for modifying the application of seniority in such instances shall be included in this correspondence.

## 7 MULTIPLE HOLIDAYS

The division commander shall determine the minimum staffing levels needed for each *multiple holiday*.

A holiday work list shall be generated for each *multiple holiday* and volunteers, ranked by seniority, shall be allowed to sign up to work the holidays that fall on their regular work days. Division commanders may adjust the actual days included in the *multiple holiday* period to ensure that the most desirable days off are offered on each shift.

If the minimum staffing level for a particular day is not reached by the use of volunteers, the division commander shall fill the remaining positions using the *rotating seniority list*. Those who indicated that the particular holiday was their third choice shall be selected by seniority to fill the positions first. If positions still need to be filled, the same procedure shall be used relative to second and then first choices until all positions have been filled.

Each *multiple holiday* shall be considered separately when scheduling assignments. This method should increase the chances of all employees, regardless of seniority, obtaining at least one *multiple holiday* off.

## 8 RELATED GENERAL ORDER

300-02, Transfer of Classified Employees



Art Acevedo  
Chief of Police