EEOP Utilization Report

Fri Dec 04 10:54:54 EST 2015

Step 1: Introductory Information

Grant Title:	COPS Hiring Grant (50)	**Grant Number:**	2010-UL-WX-0027
Grantee Name:	Tucson Police Department	**Award Amount:**	$12,375,850.00
Grantee Type:	Local Government Agency		
Address:	270 S Stone Ave Tucson, Arizona 85701-1917		
Contact Person:	Richard Prater	**Telephone #:**	520-837-7784
Contact Address:	270 S Stone Ave TUCSON, Arizona 85701-1917		
DOJ Grant Manager:	Tammy Richardson	**DOJ Telephone #:**	

Grant Title:	COPS Hiring Grant (25)	**Grant Number:**	2011-UL-WX-001
Grantee Name:	Tucson Police Department	**Award Amount:**	$6,187,850.00
Grantee Type:	Local Government Agency		
Address:	270 S Stone Ave Tucson, Arizona 85701		
Contact Person:	Richard Prater	**Telephone #:**	520-837-7784
Contact Address:	270 S Stone Ave Tucson, Arizona 85701		
DOJ Grant Manager:	Tammy Richardson	**DOJ Telephone #:**	

Policy Statement:

In addition to the City of Tucson's Human Relations Ordinance (Ch. 17, Tucson City Code) and the Discrimination / Harassment Policy (Administrative Directive 2.05-8: Discrimination / Harassment Policy) which prohibit discrimination, harassment and retaliation in the workplace, the Tucson Police Department General Orders also detail the Police Department¿s policies on equal employment opportunity.

The Tucson Police Department is committed to providing equal opportunity to all applicants for employment and to all employees. Recruitment, hiring, assignment, promotion, compensation, training, discipline, termination, and all other terms, privileges, and conditions of employment shall be administered in a manner that does not discriminate on the basis of race, color, religion, ancestry, sex, gender identity, age, disability, national origin, sexual orientation, familial status, or marital status.

See Attachment: Tucson Police Department General Orders-Equal Employment Opportunity Policy.

Step 4b: Narrative Underutilization Analysis

The City of Tucson is richly represented with a diverse population. A commitment exists to create a workforce reflective of the community that the City serves. For this reason, the Tucson Police Department has taken steps to provide an equal opportunity in employment.

In the last two years, the Tucson Police Department has lost 185 positions in the Protective Services: Sworn job category due to retirement and terminations and those vacant positions are filled with qualified individuals.

The comparison of the Tucson Police Department¿s workforce with the 2000 Pima County occupational census yields eighteen larger areas of underutilization in which men, women and/or minority groups in the Tucson Police Department¿s workforce are underutilized by more than 3% in a job category.

Officials/Administrators: Hispanic males are underutilized by 10%, White females by 30% and Hispanic females by 9%.
Professionals: White males are underutilized by 15% and Hispanic males by 4%.
Protective Services: Sworn-Officials: Hispanic males are underutilized by 8%.
Protective Services: Sworn-Patrol Officers: White females are underutilized by 8% and Hispanic females by 18%.
Protective Services: Non-Sworn: Black males are underutilized by 8% and Hispanic females by 4%.
Administrative Support: White males are underutilized by 14%.
Skilled Craft: Hispanic males are underutilized by 42%.
Service Maintenance: White females are underutilized by 20% and Hispanic females by 21%.
The Tucson Police Department will examine its recruitment practices to hire more White, Hispanic, Black and American Indian females and American Indian males in the patrol officer¿s area being the job category with the highest number (591) and underutilized by 18% (Hispanic females) and 8% (White females). American Indian females and males are underutilized by 2% each in the same job category and Black females by 1%.

See Attachment for complete Narrative Under-utilization Analysis

Step 5 & 6: Objectives and Steps

1. 1. White Females. The Tucson Police Department¿s (TPD) objective is to provide equal employment opportunities for White females when TPD fills vacancies that become available in the Officials/Administrators, Protective Services: Sworn-Patrol Officers and Service Maintenance.

a. a.The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection.Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.
b.The City of Tucson with collaboration of the TPD will continue targeted recruitment for non-minority women in an effort to ensure that the TPD¿s practices offer full equal opportunity.
See atachment for complete steps.

2. 2. Hispanic Females. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for Hispanic females when the TPD fills vacancies that become available in the Officials/Administrators, Protective Services: Sworn-Patrol Officers, Protective Services: Non-Sworn and Service Maintenance job categories.

a. a.The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection. Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.

b.The City of Tucson with collaboration of the TPD will continue targeted recruitment for minority women in an effort to ensure that TPD¿s practices offer full equal opportunity.
See Attachment for complete Steps

3. 3. Hispanic Males. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for Hispanic males when the TPD fills vacancies that become available in the Officials/Administrators, Professionals, Protective Services: Sworn Officials, and Skilled Craft job categories.

a. a.The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection. Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.
b.The City of Tucson with collaboration of the TPD will continue targeted recruitment for minority males in an effort to ensure that TPD¿s practices offer full equal opportunity.
See Attachment for complete Steps

4. 4. White Males. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for White males when the TPD fills vacancies that become available in the Professionals and Administrative Support job categories.

a. a.The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection.Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.
b.The City of Tucson with collaboration of the TPD will continue targeted recruitment for non-minority males in an effort to ensure that TPD¿s practices offer full equal opportunity.
See Attachment for complete Steps.

5. 5. Smaller Ethnic Groups. The Tucson Police Department¿s (TPD) objective is to provide equal employment opportunities for smaller ethnic groups with total Pima County workforce representation of under 3%, (Black, Asian, and American Indian) when the TPD fills vacancies in job categories in which they are underrepresented.

a. a. The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection. b. TPD will continue targeted recruitment for underrepresented populations. While the underutilization and availability of Black, Asian and American Indian is quite small in most job categories, TPD wishes to address employment practices for all populations in an effort to ensure that TPDs practices offer full equal opportunity. See Attachment for complete Steps.

Step 7a: Internal Dissemination

In order to ensure that all employees, applicants for employment and others are aware that the Tucson Police Department (TPD) is an Equal Opportunity Employer and that the City of Tucson and the TPD have an official policy on Equal Employment Opportunity (EEO), the policy dissemination will continue to be as follows:

The City's administrative directives, which include EEO policies, are made available to all employees within the departments in which they work. The TPD General Orders, which include EEO policies are made available to all employees on the City¿s and the TPD's Websites. These are also available on the City Intranet system, which is easily accessible to most employees.

The City EEO statement is included on all job announcements.

The TPD displays non-discrimination postings throughout its facilities. The City¿s and the TPD's non-discrimination

posting includes information for employees relative to the process for filing a discrimination complaint.

The TPD department and division heads receive updates from the Equal Opportunity Programs Division (EOPD) relative to their department workforce profile.

The City's EOPD Webpage includes the City's EEO statement and also informs employees and the public of the process for filing a discrimination complaint.

Newly hired employees receive a New Employee Welcome training session which includes information about the Equal Opportunity Programs Division.

The EOPD will maintain two copies of the EEOP Utilization report in its office for review and will post a copy of the EEOP Utilization Report on the EOPD¿s website for the employees and the public.

A dissemination letter will be sent to all City Department¿s Directors about the EEOP Utilization Report.

Step 7b: External Dissemination

In order to ensure that all applicants for employment and others are aware that the Tucson Police Department (TPD) is an Equal Opportunity Employer and that the City of Tucson and the TPD have an official policy on Equal Employment Opportunity (EEO), the policy dissemination will continue to be as follows:

The TPD's EEO statement is included on all job announcements.

The TPD displays non-discrimination postings throughout its facilities. The TPD's non-discrimination posting includes information for employees relative to the process for filing a discrimination complaint.

The City's EOPD and the TPD's Webpages include EEO statements and also inform employees and the public of the process for filing a discrimination complaint.

The EOPD will maintain two copies of the EEOP Utilization report in its office for review and will post a copy of the EEOP Utilization Report on the EOPD¿s website for the employees and the public.

Utilization Analysis Chart

Relevant Labor Market: Pima County, Arizona

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Officials/Administrators																
Workforce #/%	2/67%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	1/33%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	20,310/43%	4,555/10%	650/1%	260/1%	665/1%	100/0%	430/1%	50/0%	14,275/30%	4,140/9%	510/1%	215/0%	520/1%	30/0%	280/1%	15/0%
Utilization #/%	23%	-10%	-1%	-1%	-1%	-0%	-1%	-0%	-30%	-9%	32%	-0%	-1%	-0%	-1%	-0%
Professionals																
Workforce #/%	9/20%	1/2%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	26/57%	9/20%	1/2%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	28,805/35%	5,250/6%	1,320/2%	435/1%	2,330/3%	95/0%	515/1%	195/0%	31,490/38%	8,030/10%	1,170/1%	690/1%	1,860/2%	35/0%	355/0%	205/0%
Utilization #/%	-15%	-4%	-2%	-1%	-3%	-0%	-1%	-0%	18%	10%	1%	-1%	-2%	-0%	-0%	-0%
Technicians																
Workforce #/%	10/25%	5/12%	0/0%	0/0%	0/0%	1/2%	0/0%	0/0%	14/35%	8/20%	1/2%	1/2%	0/0%	0/0%	0/0%	0/0%
CLS #/%	3,400/27%	1,360/11%	265/2%	25/0%	320/3%	0/0%	59/0%	70/1%	4,730/37%	1,830/14%	235/2%	90/1%	270/2%	0/0%	80/1%	50/0%
Utilization #/%	-2%	2%	-2%	-0%	-3%	2%	-0%	-1%	-2%	6%	1%	2%	-2%	0%	-1%	-0%
Protective Services: Sworn-Officials																
Workforce #/%	202/62%	53/16%	6/2%	2/1%	4/1%	3/1%	0/0%	0/0%	39/12%	13/4%	1/0%	1/0%	3/1%	0/0%	0/0%	0/0%
CLS #/%	5,580/50%	2,665/24%	230/2%	180/2%	160/1%	20/0%	130/1%	155/1%	1,205/11%	675/6%	70/1%	65/1%	40/0%	0/0%	15/0%	0/0%
Utilization #/%	12%	-8%	-0%	-1%	-0%	1%	-1%	-1%	1%	-2%	-0%	-0%	1%	0%	-0%	0%
Protective Services: Sworn-Patrol Officers																
Workforce #/%	326/55%	164/28%	10/2%	3/1%	14/2%	0/0%	2/0%	0/0%	44/7%	23/4%	0/0%	2/0%	2/0%	0/0%	1/0%	0/0%
Civilian Labor Force #/%	9,150/25%	10,650/29%	585/2%	750/2%	245/1%	0/0%	275/1%	49/0%	5,790/16%	7,980/21%	325/1%	855/2%	240/1%	70/0%	145/0%	95/0%
Utilization #/%	31%	-1%	0%	-2%	2%	0%	-0%	-0%	-8%	-18%	-1%	-2%	-0%	-0%	-0%	-0%
Protective Services: Non-sworn																

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Workforce #/%	19/43%	9/20%	1/2%	0/0%	1/2%	0/0%	0/0%	0/0%	11/25%	3/7%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	240/38%	75/12%	65/10%	15/2%	0/0%	0/0%	0/0%	0/0%	160/26%	69/11%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Utilization #/%	5%	8%	-8%	-2%	2%	0%	0%	0%	-1%	-4%	0%	0%	0%	0%	0%	0%
Administrative Support																
Workforce #/%	15/9%	13/7%	0/0%	0/0%	1/1%	0/0%	0/0%	0/0%	76/44%	58/33%	3/2%	3/2%	1/1%	1/1%	3/2%	0/0%
CLS #/%	26,075/23%	11,615/10%	1,405/1%	430/0%	1,235/1%	75/0%	355/0%	230/0%	41,850/37%	24,310/21%	1,825/2%	1,655/1%	1,855/2%	110/0%	775/1%	415/0%
Utilization #/%	-14%	-3%	-1%	-0%	-1%	-0%	-0%	-0%	7%	12%	0%	0%	-1%	0%	1%	-0%
Skilled Craft																
Workforce #/%	2/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	18,745/48%	16,450/42%	755/2%	765/2%	340/1%	65/0%	300/1%	35/0%	1,265/3%	375/1%	40/0%	25/0%	115/0%	0/0%	50/0%	0/0%
Utilization #/%	52%	-42%	-2%	-2%	-1%	-0%	-1%	-0%	-3%	-1%	-0%	-0%	-0%	0%	-0%	0%
Service/Maintenance																
Workforce #/%	2/33%	4/67%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	25,770/24%	26,065/25%	2,300/2%	1,190/1%	1,500/1%	55/0%	605/1%	175/0%	21,225/20%	21,870/21%	1,335/1%	1,400/1%	1,310/1%	85/0%	455/0%	130/0%
Utilization #/%	9%	42%	-2%	-1%	-1%	-0%	-1%	-0%	-20%	-21%	-1%	-1%	-1%	-0%	-0%	-0%

Significant Underutilization Chart

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Professionals	✔															
Protective Services: Sworn-Officials		✔						✔								
Protective Services: Sworn-Patrol Officers				✔					✔	✔	✔	✔				
Administrative Support	✔															

Law Enforcement Category Rank Chart

Job Categories	Male								Female							
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Chiefs/Deputy Chiefs																
Workforce #/%	2/40%	2/40%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	1/20%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Captains																
Workforce #/%	10/77%	1/8%	1/8%	0/8%	1/8%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Lieutenants																
Workforce #/%	22/67%	2/6%	0/0%	2/0%	0/0%	0/0%	0/0%	0/0%	7/21%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
Sergeants																
Workforce #/%	87/64%	22/16%	3/2%	0/1%	1/1%	3/2%	0/0%	0/0%	15/11%	2/1%	1/1%	0/0%	1/1%	0/0%	0/0%	0/0%
Detectives																
Workforce #/%	81/57%	26/18%	2/1%	0/1%	2/1%	0/0%	0/0%	0/0%	16/11%	11/8%	0/0%	1/1%	2/1%	0/0%	0/0%	0/0%
Protective Services: Sworn-Patrol Officers																
Workforce #/%	326/55%	164/28%	10/2%	3/2%	14/2%	0/0%	2/0%	0/0%	44/7%	23/4%	0/0%	2/0%	2/0%	0/0%	1/0%	0/0%

I understand the regulatory obligation under 28 C.F.R. § 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEOP Utilization Report.

I have reviewed the foregoing EEOP Utilization Report and certify the accuracy of the reported workforce data and our organization's employment policies.

Certified As Final By: Richard Prater Management Coordinator for Tucson Police Department12-04-2015

[signature] [title] [date]

ATTACHMENTS

1. **Step 4b: Narrative Underutilization Analysis**

Attachment: Complete Narrative Underutilization Analysis

2. **Steps 5 & 6: Objectives and Steps**

Attachment: Complete Steps

3. **Policy Statement**

Attachment: Tucson Police Department General Orders – Equal Employment Opportunity Policy

Attachment for Step 4b: 2015 Narrative Underutilization Analysis

The City of Tucson is richly represented with a diverse population. A commitment exists to create a workforce reflective of the community that the City serves. For this reason, the Tucson Police Department has taken steps to provide an equal opportunity in employment.

The Pima County census community labor statistics show that some racial/ethnic groups have small representations in the workforce: Black (2.90%), Asian (2.89%), American Indian/Alaskan Native (2.01%), Native Hawaiian/Pacific Islander (.17%), Two or More Races (1.07%) and Other (.41%).

In the last two years, the Tucson Police Department has lost185 positions in the Protective Services: Sworn job category due to retirement and terminations and those vacant positions are filled with qualified individuals.

The comparison of the Tucson Police Department's workforce with the 2000 Pima County occupational census yields eighteen larger areas of underutilization in which men, women and/or minority groups in the Tucson Police Department's workforce are underutilized by more than 3% in a job category.

Officials/Administrators: Hispanic males are underutilized by 10%, White females by 30% and Hispanic females by 9%.

Professionals: White males are underutilized by 15% and Hispanic males by 4%.

Protective Services: Sworn-Officials: Hispanic males are underutilized by 8%.

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Protective Services: Non-Sworn: Black males are underutilized by 8% and Hispanic females by 4%.

Administrative Support: White males are underutilized by 14%.

Skilled Craft: Hispanic males are underutilized by 42%.

Service Maintenance: White females are underutilized by 20% and Hispanic females by 21%.

Underrepresentation between 1% and 3% occurs in the following categories:
Hispanic males in the protective services: sworn patrol officers and administrative support.
Black males in the officials/administrators, professionals, and technicians job categories.

Underutilization Analysis Continued: Page 2

American Indian males in the officials/administrators, professionals, protective services: sworn-officials, sworn patrol officers, non-sworn, skilled craft and service maintenance job categories.
Asian males in the officials/administrators, professionals, technicians, administrative support, skilled craft and service/maintenance job categories.
White males in the technicians job category.
Hispanic females in the protective services: sworn patrol officers and skilled craft job categories.
Black females in the protective services: sworn patrol officers and service/maintenance job categories.
American Indian females in the professionals, protective services: sworn patrol officers and service/maintenance job categories.
Asian females in the officials/administrators, professionals, technicians, administrative support and service/maintenance job categories.
White females in the technicians, skilled craft and protective services: non-sworn job categories.

The Tucson Police Department will examine its recruitment and retention practices to hire more White, Hispanic, Black and American Indian females and American Indian males in the patrol officer's area being the job category with the highest number (591) and underutilized by 18% (Hispanic females) and 8% (White females). American Indian females and males are underutilized by 2% each in the same job category and Black females by 1%.

Step 5 & 6: Objective and Steps

1. **White Females. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for White females when TPD fills vacancies that become available in the Officials/Administrators, Protective Services: Sworn-Patrol Officers and Service Maintenance.**

   a. The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection.

      Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.

   b. The City of Tucson with collaboration of the TPD will continue targeted recruitment for non-minority women in an effort to ensure that the TPD's practices offer full equal opportunity.

   c. TPD is involved in a number of outreach activities throughout the South West United States regional area. Outreach activities have included: 29 Military Transition Assistance Program Seminars, job fairs/career days, high school and college presentations and presentations to various special interest organizations.

      The City of Tucson works in partnership with other educational institutions such as Pima Community College, Brookline College, University of Arizona, and Franklin Police and Fire High School to attract a wide range of applicants in all job categories. Job openings are either posted on their websites or displayed in bulletin boards at all these institutions.

      Hiring opportunities in the TPD that are open to applicants outside City of Tucson employees are readily available and frequently updated on the TPD and City of Tucson websites.

   d. Employees and applicants who believe that they have been discriminated against may file a complaint with the EOPD. The EOPD investigates such complaints and reports its findings to the complainant and respondent departments. When discrimination is found, it is immediately corrected. It should be noted that the EOPD also receives referrals to conduct investigations from the Mayor and Council, City Manager's Office and from department managers and/or directors.

   e. The City of Tucson and TPD offer training designed to enhance an employee's ability to assume positions of greater responsibility including intern and leadership training. The City has taken steps to ensure that women and minorities are afforded equal access to these training opportunities.

      Awareness training such as diversity awareness, ADA, and Limited English Proficiency, for City of Tucson departments, including TPD, is conducted by the EOPD. For the most part this training is utilized as an educational and prevention tool. However, when concerns surface with specific units/departments relative to discrimination, the EOPD will conduct the training as a corrective measure.

   f. The City of Tucson has established a Recruiting & Talent Management Team (RTM) to actively recruit applicants of protected groups and women for all job categories. This year, the RTM along with the TPD conducted a Police Officer recruitment in Detroit to attract a broader range of applicants from a new regional location to add to our diverse workforce. This included building a partnership with an educational institution in that area for future recruiting process as well.

   g. The EOPD provides demographic statistical reports to the TPD and Human Relations Commission on a quarterly basis as part of the City's equal employment opportunity policies.

h. The City of Tucson works in partnership with many advocacy organizations such as the Tucson/Pima County Women's Commission, Chambers of Commerce, and University of Arizona clubs representing women and minority interests, advertising in publications targeted to minority groups, collaborative public safety career fairs (County, City, State, Fed) and athletes.

Step 5 & 6: Objective and Steps

2. Hispanic Females. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for Hispanic females when the TPD fills vacancies that become available in the Officials/Administrators, Protective Services: Sworn-Patrol Officers, Protective Services: Non-Sworn and Service Maintenance job categories.

a. The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection.

Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.

b. The City of Tucson with collaboration of the TPD will continue targeted recruitment for minority women in an effort to ensure that TPD's practices offer full equal opportunity.

The TPD created an active billboard campaign which was targeted in areas that reflect large minority populations across the metropolitan area. Similarly the TPD also began a radio and digital media recruitment campaign which included advertisements on several radio stations that indicated having a high minority listenership.

c. Employees and applicants who believe that they have been discriminated against may file a complaint with the EOPD. The EOPD investigates such complaints and reports its findings to the complainant and respondent departments. When discrimination is found, it is immediately corrected. It should be noted that the EOPD also receives referrals to conduct investigations from the Mayor and Council, City Manager's Office and from department managers and/or directors.

d. TPD is involved in a number of outreach activities throughout the South West United States regional area. Outreach activities have included: 29 Military Transition Assistance Program Seminars, job fairs/career days, high school and college presentations and presentations to various special interest organizations.

Hiring opportunities in the TPD that are open to applicants outside City of Tucson employees are readily available and frequently updated on the TPD and City of Tucson websites.

The City of Tucson works in partnership with other educational institutions such as Pima Community College, Brookline College and University of Arizona to attract a wide range of applicants in all job categories. Job openings are either posted on their websites or displayed in bulletin boards at all these institutions.

e. The City of Tucson and TPD offer training designed to enhance an employee's ability to assume positions of greater responsibility including intern and leadership training. The City has taken steps to ensure that women and minorities are afforded equal access to these training opportunities.

Awareness training such as diversity awareness, ADA, and Limited English Proficiency, for City of Tucson departments, including TPD, is conducted by the EOPD. For the most part this training is utilized as an educational and prevention tool. However, when concerns surface with specific

units/departments relative to discrimination, the EOPD will conduct the training as a corrective measure.

f. The City of Tucson has established a Recruiting & Talent Management Team (RTM) to actively recruit applicants of protected groups and women for all job categories. This year, the RTM along with the TPD conducted a Police Officer recruitment in Detroit to attract a broader range of applicants from a new regional location to add to our diverse workforce. This included building a partnership with an educational institution in that area for future recruiting process as well.

g. The EOPD provides demographic statistical reports to the TPD and Human Relations Commission on a quarterly basis as part of the City's equal employment policies.

h. The City of Tucson works in partnership with many advocacy organizations such as the Tucson/Pima County Women's Commission, Chambers of Commerce, and University of Arizona clubs representing women and minority interests, advertising in publications targeted to minority groups, collaborative public safety career fairs (County, City, State, Fed) and athletes.

Step 5 & 6: Objective and Steps

3. Hispanic Males. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for Hispanic males when the TPD fills vacancies that become available in the Officials/Administrators, Professionals, Protective Services: Sworn Officials, and Skilled Craft job categories.

a. The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection.

Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.

b. The City of Tucson with collaboration of the TPD will continue targeted recruitment for minority males in an effort to ensure that TPD's practices offer full equal opportunity.

The TPD created an active billboard campaign which was targeted in areas that reflect large minority populations across the metropolitan area. Similarly the TPD also began a radio and digital media recruitment campaign which included advertisements on several radio stations that indicated having a high minority listenership.

c. Employees and applicants who believe that they have been discriminated against may file a complaint with the EOPD. The EOPD investigates such complaints and reports its findings to the complainant and respondent departments. When discrimination is found, it is immediately corrected. It should be noted that the EOPD also receives referrals to conduct investigations from the Mayor and Council, City Manager's Office and from department managers and/or directors.

d. TPD is involved in a number of outreach activities throughout the South West United States regional area. Outreach activities have included: 29 Military Transition Assistance Program Seminars, job fairs/career days, high school and college presentations and presentations to various special interest organizations.

Hiring opportunities in the TPD that are open to applicants outside City of Tucson employees are readily available and frequently updated on the TPD and City of Tucson websites.

The City of Tucson works in partnership with other educational institutions such as Pima Community College, Brookline College, University of Arizona and Franklin Police and Fire High School to attract a wide range of applicants in all job categories. Job openings are either posted on their websites or displayed in bulletin boards at all these institutions

e. The City of Tucson and TPD offer training designed to enhance an employee's ability to assume positions of greater responsibility including intern and leadership training. The City has taken steps to ensure that women and minorities are afforded equal access to these training opportunities.

   Awareness training such as diversity awareness, ADA, and Limited English Proficiency, for City of Tucson departments, including TPD, is conducted by the EOPD. For the most part this training is utilized as an educational and prevention tool. However, when concerns surface with specific units/departments relative to discrimination, the EOPD will conduct the training as a corrective measure.

f. The City of Tucson has established a Recruiting & Talent Management Team (RTM) to actively recruit applicants of protected groups and women for all job categories. This year, the RTM along with the TPD conducted a Police Officer recruitment in Detroit to attract a broader range of applicants from a new regional location to add to our diverse workforce. This included building a partnership with an educational institution in that area for future recruiting process as well.

g. The EOPD provides demographic statistical reports to the TPD and Human Relations Commission on a quarterly basis as part of the City's equal employment policies.

h. The City of Tucson works in partnership with many advocacy organizations such as the Tucson/Pima County Women's Commission, Chambers of Commerce, and University of Arizona clubs representing women and minority interests, advertising in publications targeted to minority groups, collaborative public safety career fairs (County, City, State, Fed) and athletes.

Step 5 & 6: Objective and Steps

4. White Males. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for White males when the TPD fills vacancies that become available in the Professionals and Administrative Support job categories.

a. The City The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions for TPD. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection.

   Promotion procedures for detective, lieutenant and sergeant involve ranked and dated Civil Service eligibility lists of qualified sergeants and officers.

b. The City of Tucson with collaboration of the TPD will continue targeted recruitment for non-minority males in an effort to ensure that TPD's practices offer full equal opportunity.

c. Employees and applicants who believe that they have been discriminated against may file a complaint with the EOPD. The EOPD investigates such complaints and reports its findings to the complainant and respondent departments. When discrimination is found, it is immediately corrected. It should be noted that the EOPD also receives referrals to conduct investigations from the Mayor and Council, City Manager's Office and from department managers and/or directors.

d. TPD is involved in a number of outreach activities throughout the South West United States regional area. Outreach activities have included: 29 Military Transition Assistance Program

Seminars, job fairs/career days, high school and college presentations and presentations to various special interest organizations.

Hiring opportunities in the TPD that are open to applicants outside City of Tucson employees are readily available and frequently updated on the TPD and City of Tucson websites.

The City of Tucson works in partnership with other educational institutions such as Pima Community College, Brookline College, University of Arizona and Franklin Police and Fire High School to attract a wide range of applicants in all job categories. Job openings are either posted on their websites or displayed in bulletin boards at all these institutions.

e. The City of Tucson and TPD offer training designed to enhance an employee's ability to assume positions of greater responsibility including intern and leadership training. The City has taken steps to ensure that women and minorities are afforded equal access to these training opportunities.

   Awareness training such as diversity awareness, ADA, and Limited English Proficiency, for City of Tucson departments, including TPD, is conducted by the EOPD. For the most part this training is utilized as an educational and prevention tool. However, when concerns surface with specific units/departments relative to discrimination, the EOPD will conduct the training as a corrective measure.

f. The City of Tucson has established a Recruiting & Talent Management Team (RTM) to actively recruit applicants of protected groups and women for all job categories. This year, the RTM along with the TPD conducted a Police Officer recruitment in Detroit to attract a broader range of applicants from a new regional location to add to our diverse workforce. This included building a partnership with an educational institution in that area for future recruiting process as well.

g. The EOPD provides demographic statistical reports to the TPD and Human Relations Commission on a quarterly basis as part of the City's equal employment policies.

h. The City of Tucson works in partnership with many advocacy organizations such as the Tucson/Pima County Women's Commission, Chambers of Commerce, and University of Arizona clubs representing women and minority interests, advertising in publications targeted to minority groups, collaborative public safety career fairs (County, City, State, Fed) and athletes.

Step 5 & 6: Objective and Steps

5. Smaller Ethnic Groups. The Tucson Police Department's (TPD) objective is to provide equal employment opportunities for smaller ethnic groups with total Pima County workforce representation of under 3%, (Black, Asian, and American Indian) when the TPD fills vacancies in job categories in which they are underrepresented.

a. The City of Tucson Equal Opportunity Programs Division (EOPD) monitors all hiring and promotions. The EOPD obtains a Certification of Equal Employment Opportunity form from the hiring authority/administrator for each selection. The form summarizes the applicant pool and reasons for selection and non-selection.

b. TPD will continue targeted recruitment for underrepresented populations. While the underutilization and availability of Black, Asian and American Indian is quite small in most job categories, TPD wishes to address employment practices for all populations in an effort to ensure that TPDs practices offer full equal opportunity.

   The TPD created an active billboard campaign which was targeted in areas that reflect large minority populations across the metropolitan area. Similarly the TPD also began a radio and

digital media recruitment campaign which included advertisements on several radio stations that indicated having a high minority listenership.

c. TPD is involved in a number of outreach activities throughout the South West United States regional area. Outreach activities have included: 29 Military Transition Assistance Program Seminars, job fairs/career days, high school and college presentations and presentations to various special interest organizations.

   Hiring opportunities in the TPD that are open to applicants outside City of Tucson employees are readily available and frequently updated on the TPD and City of Tucson websites.

   The City of Tucson works in partnership with other educational institutions such as Pima Community College, Brookline College and University of Arizona to attract a wide range of applicants in all job categories. Job openings are either posted on their websites or displayed in bulletin boards at all these institutions.

d. The City of Tucson and the TPD offer training designed to enhance an employee's ability to assume positions of greater responsibility including intern and leadership training. The City has taken steps to assure that women and minorities are afforded equal access to these training opportunities.

   Awareness training such as diversity awareness, ADA, and Limited English Proficiency, for City of Tucson departments, including TPD, is conducted by the EOPD. For the most part this training is utilized as an educational and prevention tool. However, when concerns surface with specific units/departments relative to discrimination, the EOPD will conduct the training as a corrective measure.

e. The City of Tucson has established a Recruiting & Talent Management Team (RTM) to actively recruit applicants of protected groups and women for all job categories. This year, the RTM along with the TPD conducted a Police Officer recruitment in Detroit to attract a broader range of applicants from a new regional location to add to our diverse workforce. This included building a partnership with an educational institution in that area for future recruiting process as well.

f. The EOPD provides demographic statistical reports to the TPD and Human Relations Commission on a quarterly basis as part of the City's equal employment policies.

g. Employees and applicants who believe that they have been discriminated against may file a complaint with the EOPD. The EOPD investigates such complaints and reports its findings to the complainant and respondent departments. When discrimination is found, it is immediately corrected. It should be noted that the EOPD also receives referrals to conduct investigations from the Mayor and Council, City Manager's Office and from department managers and/or directors.

h. Native American applicants may receive five inclusion (preference) points when competing for a position with the City of Tucson. To receive inclusion points, eligibility must be established by presentation of tribal membership identification documentation, Certificate of Degree of Indian Blood, or Notice of Approval letter from an officially designated Native American Tribe or Nation.

i. The City of Tucson works in partnership with many advocacy organizations such as the Tucson/Pima County Women's Commission, Chambers of Commerce, and University of Arizona clubs representing women and minority interests, advertising in publications targeted to minority groups, collaborative public safety career fairs (County, City, State, Fed) and athletes.

4100 HIRING AND WORKPLACE POLICIES

4110 EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICIES

4111 General [CALEA 31.2.3]

The Tucson Police Department is committed to providing equal opportunity to all applicants for employment and to all employees. Recruitment, hiring, assignment, promotion, compensation, training, discipline, termination, and all other terms, privileges, and conditions of employment shall be administered in a manner that does not discriminate on the basis of race, color, religion, ancestry, sex, gender identity, age, disability, national origin, sexual orientation, familial status, or marital status.

The Department will take action to prevent and correct discriminatory behavior in violation of these policies. Members who engage in prohibited conduct are subject to disciplinary action up to and including termination of employment.

Refer to City *Administrative Directive* 2.05-8, *Discrimination/Harassment Policy and Mediation/Complaint Procedures for* additional information.

4112 Compliance [CALEA 26.1.3]

4112.1 Discrimination

Discrimination is defined as making, directly or indirectly, any distinction in applicant selection procedures, or in the terms, conditions or privileges of employment on the basis of race, color, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, familial status or marital status.

No employee shall discriminate against any applicant for employment or Department member in any term, privilege, or condition of employment on the basis of protected status. Moreover, discrimination or harassment will not be tolerated from any non-employee including, but not limited to, vendors, contractors, or applicants for employment.

Note however, that in compliance with federal law the City shall require all persons hired for employment to demonstrate their eligibility for employment in the United States prior to starting employment.

4112.2 Sexual Harassment

Every employee has the right to work in an environment free from hostile, offensive or intimidating sexual behavior. Sexual harassment is any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

Submission to such conduct is made, either explicitly or implicitly, a term or condition of a member's employment; or,

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such member; or,

Such conduct has the purpose or effect of interfering with a member's work performance, or creating a hostile, intimidating, or offensive working environment.

4112.3 **Employees with Disabilities**

The City of Tucson is committed to making reasonable accommodations for qualified applicants and employees with disabilities in accordance with state and federal law, and City *Administrative Directives*. Each situation will be handled on a case by case basis. Employees shall contact the Department's Human Resources Section Commander to request information on reasonable accommodation. Additional information may be found in City *Administrative Directive* 2.05-2, *Reasonable Accommodation of Applicants and Employees with Disabilities*.

4112.4 **Confidentiality**

To the extent permitted by law or policy, the identity as well as all oral or written contacts between the Human Resources Section, the Office of Internal Affairs, the Equal Opportunity Programs Division (EOPD), and any employee or applicant for employment concerning this policy and/or its application will be treated as confidential.

4113 **Responsibilities** [CALEA 26.1.3]

4113.1 **Chief of Police**

Ultimate responsibility for implementation of these policies is vested in the Chief of Police. The Chief shall ensure that all Equal Employment Opportunity (EEO) policies, and all prohibitions against discrimination, are aggressively implemented throughout the Department by all levels of management.

4113.2 **Human Resources Section Commander** [CALEA 31.2.3]

The Human Resources Section (HRS) Commander is responsible for monitoring the Department's EEO programs and ensuring Department compliance with all relevant federal and state laws, City ordinances, and Department policies and rules in hiring and other personnel practices. The HRS Commander will report to the Administrative Services Bureau Commander, but will have direct access to the Chief of Police on EEO matters.

Other responsibilities include:

- Advising the Chief of Police, Department Commanders, managers and supervisors on EEO matters.
- Informing the Chief of Police on progress in the employment and utilization of minorities and women.

- Maintaining liaison with the City Manager's Office, City Human Resources, the City Attorney's Office, and employee organizations.
- Tabulating and maintaining work force data and outcomes of selection processes for transfers, promotions, and new hires. The agency's employment policies, practices, and procedures will be analyzed annually to ensure that currently acceptable standards are being maintained.
- Participating in the development and implementation of training and educational programs for supervisors.

4113.3 **Commanders**

Commanders are required to ensure that personnel practices within their organizational entities are in full compliance with all federal and state laws, City ordinances, and Department *General Orders* governing non-discrimination. Specifically, Commanders are to ensure that all their employees who supervise, promote, assign, recruit, interview, train, evaluate, or discipline other employees utilize only job related standards in their personnel actions and contribute to the attainment of Department EEO principles. In addition, Commanders are to personally monitor and evaluate the personnel actions of subordinate supervisors to ensure compliance with EEO laws.

Commanders are required to take immediate corrective action to prevent discriminatory behavior from continuing or recurring. Failure to take prompt appropriate action may subject the Commander to disciplinary action, up to and including termination of employment.

When made aware of a potential or current EEO problem or complaint, Commanders shall:

- Take immediate corrective action when necessary.
- Notify the OIA to determine whether an investigation is necessary.
- Cooperate with the OIA and the EOPD in any investigation and/or resolution of the problem or complaint.

4113.4 **Supervisors**

Supervisors shall be responsible for encouraging employee support for equal employment opportunity by demonstrating commitment to EEO in the following ways:

- Becoming thoroughly familiar with the Department's prohibitions against discrimination, and acquainting subordinate personnel with these guidelines.
- Promoting a positive attitude when discussing these policies with other staff.
- Requiring all subordinate personnel to demonstrate respect for the diversity of their coworkers and members of the community.
- Taking immediate corrective action when any violations of EEO law are observed or reported. Supervisors shall notify their chain of command in writing of all potential or current EEO violations, so that immediate action can be taken to remedy the situation.
- Ensuring compliance of subordinate personnel with all EEO laws and regulations.

Supervisors are required to take immediate corrective action to prevent discriminatory behavior from continuing or recurring. Failure to take prompt appropriate action may subject the supervisor to disciplinary action, up to and including termination of employment.

4113.5 **All Department Members** [CALEA 26.1.3]

Every employee of the Police Department, including unpaid members, is responsible for creating and maintaining a professional working environment free from harassment and discrimination. Employees shall:

- Demonstrate sensitivity to and respect for differences arising from membership in a protected class.
- Comply with all equal employment laws, City policy and *General Orders*.
- Confront disrespectful or discriminatory behavior when they see it.
- Notify their chains of command (or the HRS or OIA Commanders) of any EEO violations that they experience or observe.

4114 **Prohibited Conduct** [CALEA 26.1.3]

4114.1 **General**

The following is conduct that is specifically prohibited under the Department EEO policies. This list is in addition to other prohibitions already covered in *General Orders* and includes, but does not limit, conduct for which disciplinary action may be taken.

4114.2 **Requirement to Cooperate in EEO Investigations**

All employees are required to fully cooperate in any investigation of an EEO violation.

4114.3 **Workplace Bias**

Expressing bias in the workplace, including any behavior that is potentially offensive to any employee on the basis of his or her protected status is prohibited. Examples include, but are not limited to:

- Using degrading words, offensive slang labels or names, or profanity describing a person's protected status.
- Sexually suggestive, obscene or lewd jokes; jokes or any comment about a person's protected status.
- Posting or display of inappropriate posters or jokes in the workplace.

4114.4 **Sexual Harassment in the Workplace**

Examples of conduct that may be deemed sexual harassment and is prohibited in the workplace include, but are not limited to:

- Sexually suggestive, obscene, or lewd comments or invitation.

- Gender related labels such as “honey,” “sweetie,” “cutie,” “boy,” and “girl.”
- Asking for sexual favors and implying there will be economic or employment benefits.
- Leering, ogling, or drawing attention to a person’s body.
- Unwanted sexual advances.
- Introduction into the workplace of pornographic pictures or written material, except in the course of official police investigations.

4114.5 **Retaliation Prohibited**

Retaliation is an adverse employment action taken against an employee as a result of opposing an unlawful discriminatory practice, or filing a charge of discrimination, testifying, assisting, or participating in any manner in an equal opportunity investigation, proceeding, or hearing.

Retaliation is prohibited conduct, and, if engaged in, may result in disciplinary action, up to and including termination of employment.

4115 **Discrimination Complaint Procedure** [CALEA 26.1.3]

4115.1 **General**

Employees who believe they have been treated unfairly in any employment practice because of their race, color, religion, ancestry, sex, gender identity, age, disability, national origin, sexual orientation, familial or marital status may file a complaint. Also, employees who believe they have been retaliated against because they filed an EEO complaint, challenged a discriminatory behavior, participated in any way with these procedures, or served as a witness may file a complaint.

4115.2 **Confidentiality Required**

All matters pertaining to EEO issues are highly confidential. All participants in a report or investigation are strictly prohibited from discussing the matter outside of formal channels. Information concerning such issues will be disseminated on a need-to-know basis only. Such confidentiality, however, in no way diminishes the necessity of keeping the Chief of Police informed.

4115.3 **Reporting**

Any employee may report EEO issues. Sources of information include the HRS Commander, the OIA Commander or designee, the Legal Advisor’s Office, and the City Equal Opportunity Programs Division.

4115.4 **Time Periods for Filing Complaints**

Complaints must be filed with the EOPD within 90 calendar days of the alleged infraction of these policies.

4115.5 **Withdrawal of Complaints**

Members filing EEO complaints may withdraw the complaint or any part thereof, at any time, by contacting the EOPD. Despite the withdrawal request, however, the City still has an obligation to investigate the allegation.

4115.6 **Procedure for Filing Complaints** [CALEA 26.1.3, 31.2.3]

Upon receiving a complaint of a violation of the EEO policies, the Chain of Command shall immediately notify the Office of Internal Affairs. The OIA shall promptly determine if discrimination, harassment or retaliation has taken place, and shall determine whether the complaint should be forwarded to the EOPD or the situation can be appropriately resolved by the COC. If the conduct has adversely affected the complaining member, the Department will attempt to correct the impact.

Due to their potential seriousness EEO complaints must be fully investigated. The Office of Internal Affairs shall maintain a close working relationship with the Equal Opportunity Programs Division office during the investigative process.

OIA shall maintain a summary file documenting each complaint received, all responses to complaints received, actions taken, and any other relevant information memorializing complaints and their resolution.

4115.7 **Written Complaints**

Employees or applicants for employment who feel they have been discriminated against or subjected to harassment or retaliation may file a written complaint with the Equal Opportunity Programs Division by completing a *City of Tucson Equal Opportunity Programs Division Discrimination Complaint Questionnaire* form. This form is available online or at the EOPD office.

4116 **Investigation and Disposition** [CALEA 26.1.3]

4116.1 **General**

Complaints involving allegations of discrimination, harassment or retaliation shall be investigated by the EOPD. The EOPD office may coordinate with and utilize the investigative services of the Office of Internal Affairs as appropriate and necessary.

4116.2 **Disposition and Notification of Complaints**

Upon receipt of a complaint alleging discrimination, harassment or retaliation, the EOPD shall determine within five business days if further investigation is warranted. If the complaint originates within the Office of Internal Affairs and does not appear to warrant further investigation, the EOPD will notify the Chief of Police.
If further investigation is warranted, the Chief of Police will be so informed and shall be required to respond to the complaint in the established time frame and format.

If after investigation of a complaint the EOPD determines that there is insufficient evidence to support a finding of unlawful discrimination, harassment or retaliation ("No Cause Finding"), the complaint shall be dismissed, and all parties, including the Chief of Police shall be notified.

If, after investigation of a complaint, the EOPD determines that there is sufficient evidence to support a finding of unlawful discrimination, harassment or retaliation ("Cause Finding") the Chief of Police will be so notified. The Department will then have 20 business days in which to resolve the matter between the complainant and respondent.

If violations of *General Orders* have been identified, the Office of Internal Affairs shall ensure that the appropriate paperwork is generated to allow the Chain of Command to make suitable recommendations for discipline or corrective action.

4116.3 **Documentation**

The Office of Internal Affairs shall maintain copies of the findings received from the Equal Opportunity Programs Division, together with dispositions and related disciplinary actions. The findings from the EOPD and any dispositions and/or related disciplinary actions shall be maintained in separate files.

4120 REQUESTS TO FILL POSITIONS

TPD Divisions requesting to fill a vacant classified position must send a justification memorandum through the Chain of Command to the Human Resources Section Commander. The justification memorandum must include the position needed to hire, the number needed, the incumbent or new hire needed and the projected hire date. Upon receipt the HRS Commander will verify the existence of vacancy. All hiring processes are coordinated through TPD Human Resources. Refer also *General Order 4150* for additional information.

4121 **Processing for Vacancies**

Depending on the nature and type of vacancy for a classified position, the following selection methods are available to Division seeking to fill openings.

- A non-competitive promotion of an employee currently working within the Department.
- A non-competitive promotion of an employee currently employed in another Department. (Civil Service Commission Rules and Regulations require that the City Human Resources Department post these promotional opportunities.)
- A competitive promotional process in accordance with the Civil Service Commission Rules coordinated and administered by the City Human Resources Department. This results in the establishment of an eligibility list.
- A competitive recruitment process open to the general public in accordance with the Civil Service Commission Rules. This results in the establishment of a six-month eligibility list. Requests may be made to extend such lists in six-month increments up to a period of two years.

Commanders needing to fill vacancies shall coordinate their process with the Human Resources Section. The affected division remains responsible for providing any needed justification for filling positions.

4122 **Recruiting Unit** [CALEA 31.1.1]

The Recruiting Unit in the Human Resources Section has the responsibility of seeking out qualified individuals to apply and test for all sworn and selected non-sworn positions.

Recruiting methods include attending local and state wide career fairs; community college and university business fairs; all minority and women's sponsored events and speaking engagements; monthly law enforcement workshops; out-of-state testing; mailers to colleges that include Criminal Justice programs; job postings on law enforcement web sites; a toll-free recruiting number; television interview programs and a bonus referral program. The Recruiting Unit shall also monitor all aspects of the Department's job postings on the Department website, including gathering names of interested applicants and assisting in answering employment inquiries.

4130 APPOINTMENT

All positions in the hiring process must remain in accordance with the following appointments. These guidelines are consistent with various City *Administrative Directives* and Civil Service Commission Rules.

- **Probationary and Permanent Appointments**
  In making both original and promotional probationary and/or permanent appointments, the Chief of Police shall appoint the number of eligibles from among those certified in accordance with the method of certification.

- **Temporary Appointments**
  The duration of a temporary appointment shall be limited to the period of need, not in excess of six months. The Human Resources Director may waive the time restriction due to extenuating circumstances, but in no event shall the temporary assignment exceed two years. Temporary appointments or promotion may not be counted as part of a probationary period.

- **Provisional appointments**
  Provisional appointments are used where there is an urgent need to fill a position until an eligibility list is created. The provisional appointment may not last more than six months and the person is prohibited from further provisional appointments within a three-year period from the effective date of the first provisional appointment.

- **Emergency Appointments**
  Emergency appointments are made whenever there is a state of emergency requiring the immediate service of one or more persons. An emergency appointment shall not exceed ten working days unless approved by the Human Resources Department Director.
- **Intermittent Appointments**
  In the absence of an eligible list for permanent appointments to a particular position, an appointing authority may request that the Civil Service Commission, through the City Human

Resources Director, certify from an eligible list for intermittent appointment to the same position.

- **Grant Funded Positions**
  Persons initially hired for a position that is funded by a grant from a public or private source shall acknowledge in writing that the provisions have been read and understood that their employment will cease at the termination of the grant regardless of seniority or reemployment rights. Upon completion of the grant, the employee may be transferred, promoted or demoted into a non-grant-funded position. This provision does not apply to permanent City employees assigned or promoted to a grant funded position.

- **Assignment Positions**
  An assignment position is a position that includes:
  - Executive duties and responsibilities;
  - Unusual hazard in the performance of assigned duties and responsibilities;
  - Service in the position of a Police Officer Trainee, Lead Police Officer, and others by City Directive.

- **Part Time Positions**
  Working 20 or more hours, but less than forty hours per week.

- **Full-Time Positions**
  Working 40 hours or more per week.

4131 **Probationary Periods** [CALEA 32.2.10; 34.1.7]

All City employees, except as listed below, shall complete a probationary period of one year from the date of hire or promotion into a new classification. The following positions shall have a probationary period of 18-months.

Police Officer (including lateral entry/certified officers)
Hazardous Devices Technician
Public Safety Dispatcher
Police Service Operator
Police Records Specialists

Newly hired personnel who fail to satisfactorily complete their probationary period shall be terminated. Employees who are rated as “Below Standards” on their end-of-probation evaluations shall be terminated.

Personnel who fail to satisfactorily complete a probationary period for a promotion will be demoted to their last permanent classification.

4131.1 **Extending Probationary Periods**

Any employee who for more than three consecutive weeks during the probationary period is on authorized leave (except Military Leave) or is at work but unable to perform all duties of their position shall have the probationary period extended by the amount of time that they were on leave or not fully performing. Sworn members, who are unable to complete the initial training program but are retained in a paid non-training assignment, shall have the probationary period extended for the amount of time the employee is in the non-training assignment.

Probation may not be extended merely because an employee is not performing up to the level expected for their position. If an employee is not performing at an acceptable level when the end of probation approaches the employee shall be denied permanent status. If a new hire to the position the employee shall be terminated; if promoted into the position the employee shall revert to the last position in which the employee held permanent status. Refer to *Civil Service Rule VII*, *Probationary Period*, for additional information.

4140 DRUG AND ALCOHOL POLICY

4141 **General Policy**

The Tucson Police Department, together with the City of Tucson, has established this policy to maintain and ensure a drug- and alcohol-free, and safe workplace for all its employees. All employees shall comply with all Federal and State laws pertaining to controlled substances. The City's policy in this area may be found in City *Administrative Directive* 2.02-22 – *Drug and Alcohol Use: Impaired Employees Physical Evaluations; Applicant Testing*. It is the responsibility of supervisors to consistently enforce the provisions of this section.

4141.1 **Presumptive Alcohol Impairment Level~~s~~**

An on duty employee whose blood, breath or urine when tested contains an alcohol concentration of .04% or above is presumed to be impaired by the use of alcohol. Employees with an alcohol concentration of less than .04% may be considered impaired depending on a consideration of all of the circumstances. This presumption is separate from any criminal liability that may attach to an employee suspected of being under the influence of alcohol or drugs while driving.

4141.2 **Available Resources**

All employees and supervisors are reminded that the Police Department and the City offer various programs and types of assistance to deal with alcohol abuse. Assistance may be obtained through confidential self-reporting from BSU or the City's Employee Assistance Program at any time.

4142 Reasonable Suspicion Drug and Alcohol Testing

Drug and/or alcohol testing shall be administered whenever a supervisor or Commander has reasonable suspicion to believe an on duty employee is impaired or under the influence of alcohol, medication, whether prescribed or not, or illegal drugs or controlled substances. The belief must be based on specific, articulable observations concerning the appearance, behavior, and speech or body odors of the employee. An employee shall also be subject to testing as outlined in this section when articulable information arises indicating that the employee has recently engaged in a violation of the drug and alcohol policy. The Human Resources Section shall be contacted for assistance in arranging all drug and alcohol testing.

4142.1 Testing Procedures

All non-criminal reasonable suspicion based test or tests of breath, blood or urine, or other recognized testing methods, shall be accomplished by the City Physician or other medical facility designated by the City in accordance with appropriate protocols. The employee to be tested shall be accompanied by a supervisor through the completion of the testing process. The choice of testing methodology shall be made by the Department. Testing shall take place at the designated facility available at the time needed. The Human Resources Section shall be contacted for assistance in arranging all testing. For after hours testing, refer to *TPD WIKI* for the current contact information.

Testing involving possible criminal charges shall be conducted in a manner consistent with the appropriate investigative protocols. The Office of Internal Affairs shall coordinate testing with the investigative unit.

4142.2 Results of Testing

If a tested employee is found to be in violation of the permissible blood alcohol levels or is, impaired or otherwise unable to safely perform normal duties due to the use of medications or other drugs, the employee shall immediately be relieved of duty and placed on leave for the remainder of the shift. The mere presence of illegal drugs or controlled substances revealed in such a test, regardless of any impairment, shall be deemed sufficient to immediately relieve the employee from duty.

An employee who is relieved of duty under these circumstances shall use available leave (sick leave, vacation or compensatory leave) until allowed by the Department to return to duty. If the employee has exhausted all leave balances, they shall be carried in a Leave Without Pay status.

The supervisor coordinating the testing shall be responsible for notification regarding the testing and any known results to the appropriate chain of command, the Office of Internal Affairs (OIA) and the Human Resources Section. If the use or presence of a substance constitutes a violation of the law, the Office of Internal Affairs shall immediately take the appropriate steps to ensure the integrity of any needed investigative follow-up.

If the employee is to be relieved from further duty for the remainder of the shift, the supervisor in charge of the testing shall ensure that the employee is safely returned to the employee's residence or other suitable location away from the workplace once all administrative matters have been completed.

Certain types of tests require processing in which the results may not be available for up to 48-hours. In such instances, the Human Resources Section will notify the involved chain of command and OIA as appropriate as soon as the results are received. If the results of the test will not be available due to the need for analysis (such as blood or urine), the decision as to whether or not to allow the employee to return to work will be based upon the recommendations of the City physician examining the involved employee.
If the test administered to the employee does not reveal an impermissible blood alcohol level or levels of medication or the presence of illegal drugs or controlled substances, and the employee is not otherwise impaired or a hazard in the opinion of the City physician, the employee may return to normal duty as deemed appropriate by their supervisor or Commander.

4142.3 **Required Documentation**

Any time an employee is suspected of being impaired or under the influence as outlined in this section, the supervisor or Commander directing the reasonable suspicion testing shall complete all required documentation. At a minimum, such documentation shall include a *Personnel Report* outlining all circumstances leading to the decision to order the testing. Information on the testing shall be filed in the employee's confidential medical files in HRS as well as OIA as may be appropriate.

4142.4 **Follow-up Referrals**

Employees who test positive for alcohol while on duty, or are deemed to be on duty while impaired by prescription medications shall be referred to BSU for an appointment to assist the employee in returning to duty and in dealing with work related issues that may be identified, as well as making any appropriate follow-up referrals. The referral shall be made by the employee's chain of command as soon as practical following the employee's return to duty.

Employees directed to attend follow-up sessions with the SAP or BSU will be required to provide proof of their attendance to the Department. Such referrals shall be made part of any conditions of continued employment with which the involved employee must comply.

All such referrals are separate and distinct from any other administrative or disciplinary action that may result or arise from the employee's conduct.

4142.5 **Follow-up Testing**

When an employee is found to have been in violation of Department policy on alcohol or drugs, including medications, for which the employee is not terminated, the employee shall participate in mandatory, random follow-up testing. The Human Resources Section

shall coordinate and arrange all random follow up testing. Each such random test, and its associated result, shall be documented in the employee's confidential medical file.

The requirement for such testing, and any other conditions required in order for the employee to remain employed, including mandated referrals, shall be documented and served upon the employee prior to their return to work. Copies of this documentation shall be retained by HRS in the employee's personnel file.

An employee's failure to submit to testing under these circumstances or to otherwise comply with any requirements of this section or any conditions of continued employment served upon the employee shall result in termination.

4143 **Post-Collision Testing**

Department members who are involved in an on-duty traffic collision, as a driver shall be tested for the presence of alcohol and controlled substances under the following circumstances:

- The accident involves a fatality, or
- The employee driver receives a citation for a moving violation, or may receive a citation arising from the accident pending the outcome of the investigation, and
  - the accident involves an injury treated away from the scene, or
  - any vehicle is required to be towed from the scene.

A driver who is subject to post-accident testing must remain available for any testing, or the Department may consider the driver to have refused testing. The driver subject to post-accident testing shall refrain from consuming alcohol for eight (8) hours following the accident, or until all testing is complete, whichever comes first.

The on-scene supervisor or Commander at the scene is responsible for ensuring that any and all appropriate tests are conducted and that all required documentation is completed.

All non-criminal reasonable suspicion based tests of breath, blood or urine, or other recognized testing methods, shall be accomplished by the City Physician or other medical facility designated by the City in accordance with appropriate protocols. The employee to be tested shall be accompanied by a supervisor through the completion of the testing process. The choice of testing methodology shall be made by the Department. Testing shall take place at the designated facility available at the time needed. The Human Resources Section shall be contacted for assistance in arranging all testing. For after hours testing, refer to TPD Wiki for the current contact information.

4144 **Other Testing**

4144.1 **Random Testing**

All Department personnel are subject to quarterly random drug testing during their initial probationary period. This testing is arranged and coordinated by the Human Resources Section. A member's refusal or failure to submit to such testing is grounds for termination.

4144.2 **Unit Assignment Testing**

Members assigned to specific units (e.g., CNA) or who must submit to random testing by law (e.g. commercial driver's license holders) shall be tested throughout the year or as required by policy or statute. This testing is arranged and coordinated by the Human Resources Section in accordance with the procedures set forth in *General Order 4142*.

4144.3 **Voluntary Testing**

In certain circumstances an employee may wish to submit to a voluntary drug or alcohol test. This shall be coordinated through normal channels in the Human Resources Section or, in the case of on-going investigations, through the appropriate investigative detail. In all such cases the employee shall sign a waiver indicating that the testing is voluntary. This waiver shall be returned to HRS for filing.

4145 **Violation of Drug and Alcohol Policies**

4145.1 **Controlled Substances**

Any Tucson Police Department employee who, at any time tests positive for, uses, manufactures, has unauthorized possession of, or transfers by sale or gift, any controlled substance shall be terminated. The illegal use, possession or sale of controlled substances by employees on duty or off duty may also result in criminal investigation, arrest, and, in the case of sworn members, loss of peace officer certification.

4145.2 **Improper Use of Medications While On Duty**

Any Tucson Police Department employee who, at any time while on duty, in or at a City facility or job site, or operating a City vehicle, is impaired by any medications, whether or not prescribed to the employee, shall be subject to disciplinary action up to and including termination, and the follow-up and referral provisions of *General Order 4142.4* and *General Order 4142.5*.

Any employee who, while on duty, is impaired by medications shall receive discipline in conformance with the Discipline Matrix. A second instance of an employee being on duty while impaired by medications shall result in the employee's termination. These disciplinary actions are separate from any criminal investigations or sanctions that may arise as a result of an employee's conduct.

Whenever an administrative investigation establishes that a sworn member was impaired while on duty by any medications, regardless of the resulting discipline, AZPOST shall be notified if it appears that the conduct is part of a pattern of misuse of prescribed medications as prohibited in AZPOST rules.

4145.3 **Alcohol or Other Intoxicants While On Duty**

Any Tucson Police Department employee who, at any time while on duty, in or at a City facility or job site, or operating a City vehicle, is impaired by the use of alcohol or other intoxicants, and/or has a blood alcohol level of .04% or higher, shall be subject to disciplinary action up to and including termination.

Except for situations involving DUI addressed in G.O. 4145.4. any employee who is found to be in violation of this section while on duty shall receive discipline in conformance with the Discipline Matrix. **A second alcohol or other intoxicant violation shall result in the employee's discharge.** These disciplinary actions are separate from any criminal or civil investigations or sanctions that may arise as a result of an employee's conduct.

Whenever an administrative investigation establishes that a sworn member was intoxicated while on duty, regardless of the resulting discipline, that determination shall be provided to AZPOST in accordance with state rules governing peace officer certification standards.

4145.4 **DUI Offenses While On or Off Duty**

As members of a law enforcement agency, all employees of the Tucson Police Department are required to obey the law and not engage in conduct that will bring the agency or City into disrepute. Consequently, committing a DUI offense while on or off duty shall result in the employee's termination from employment. These disciplinary actions are separate from any criminal or civil investigations or sanctions that may arise as a result of an employee's conduct.

Discipline in such matters shall be administered when the facts establish that the member was in violation of the law, regardless of whether the member was criminally charged or of the ultimate resolution of any criminal or civil charges.

Arizona Implied Consent law requires drivers under arrest for DUI to submit to BAC testing or lose the privilege to drive by refusal to submit to testing. A member's refusal to submit to Implied Consent testing when requested as part of a DUI investigation will result in termination from employment.

4145.5 **Use or Possession of Medical Marijuana Prohibited**

Passage of the Arizona Medical Marijuana Act (AMMA) has not altered Department policy with regard to use or possession of marijuana by Department members. Marijuana remains an illegal, schedule I dangerous drug under the Federal Controlled Substances Act thereby prohibiting Department members from using, possessing or selling marijuana (except when acting as a law enforcement officer), or engaging in any other conduct that would violate the Controlled Substances Act. Members seeking to avail themselves of a privilege available under the AMMA shall consult City Human Resources for procedures to transfer to a non-public safety position within the City.

4145.6 **Involvement with Medical Marijuana Dispensaries Prohibited**

Department members and their spouses are prohibited from having any ownership interest in, or personal involvement or association with a medical marijuana dispensary, whether as a consumer, owner, agent, cultivator, consultant, or in any other manner except as may be necessary when acting as a law enforcement officer.

4146 **Refusal to Submit to Testing**

An employee's refusal to be examined by the City Physician or to be tested as outlined and required in this section will be treated as a positive result and is grounds for termination.

In unusual circumstances in which an employee is not terminated under the preceding provision, an employee's second refusal to be examined or tested shall result in the employee's discharge.

4147 **Return to Duty**

An employee who is found to be on duty in violation of the Department's drug and alcohol policy shall not be allowed to return to duty until a period of at least 24-hours has elapsed from the time the violation occurred. An employee may be compelled to submit to a test to establish their blood alcohol level or to check for the presence of illegal or controlled substances, or impairment due to medications, prior to returning to duty. Such testing, to be determined by the employee's chain of command, shall be coordinated through the Human Resources Section as outlined in *General Order 4142*.

An employee who has been found in violation of the drug and alcohol policy for which they are not terminated shall be served with written conditions of continued employment outlining their responsibilities and requirements to avoid discharge. At a minimum, these conditions will include follow-up and testing requirements set forth in *General Order 4142.4* and *General Order 4142.5*. Preparation and service of these conditions will be coordinated through HRS.

4148 **Use of Medications While On Duty**

It is the responsibility of any employee who is taking any medication, whether prescribed or not, which may interfere with the safe and effective performance of duties to notify their supervisor before beginning or responding to work. In such instances the employee shall be directed to provide documentation from the treating physician of the substance(s) involved and any limitations this may impose on the employee directly to HRS for filing in the employee's confidential medical file. Employees shall not be advised to provide any medical information to a supervisor. It is the employee's responsibility to advise the Department when the employee is no longer using the medication in question. In recognition of privacy concerns, the Department will not solicit information from an employee regarding medications absent an indication that the employee is impaired by their use or poses a safety hazard. Failure of an employee to advise the Department of circumstances that would pose a hazard to the employee or others, however, may result in discipline.

It is the responsibility of each employee to monitor their own physical condition and be aware of the affects of any medication the employee may use. Each employee is responsible for ensuring that they are not impaired by any medication usage while on duty.

Generally this will be of greater concern for, but is not limited to, employees who engage in any form of enforcement or tactical duties, operate a City vehicle, machinery or equipment, or engage in other assignments in which they or others may be at risk as a result of side effects of a medication used by the employee. The Human Resources Section should be contacted if any question arises in this regard. Refer also to City Administrative Directive *2.02-22, Drug and Alcohol Use: Impaired Employees Physical Evaluations; Applicant Testing*.

4149 Off Duty Impairment

If it comes to the attention of the Department that an employee has been involved in a situation off duty involving the use of any illegal or controlled substance, or in a criminal matter involving the use of alcohol, or controlled or prescribed substances, the employee shall be subject to follow-up testing, monitoring and/or discipline as the circumstances warrant. The employee may also be referred to BSU by the Department to evaluate any work impact of the employee's conduct. These referrals shall be coordinated by the Human Resources Section as appropriate.

4150 GENERAL HIRING PROCESS [CALEA 22.3.1; 32.1.1; 32.1.2; 32.1.3]

All hiring processes shall be coordinated through the Human Resources Section to ensure uniformity of evaluation and interpretation. Refer also to *General Orders* 4200 for additional information on Background Investigations as part of the hiring process.

4151 Hiring of Sworn Members

Persons who submit an application for a sworn position, and who meet minimum qualifications and pre-screening, are invited to a Civil Service written examination conducted by the City's Human Resources Department. Applicants who pass the written test next attend a physical assessment test (pass/fail). Applicants who successfully pass the physical assessment test are invited to an oral board interview. After successfully completing the oral board interview applicant scores on the written test and oral board interviews are combined and applicants are placed on the Civil Service eligibility list. The Department then takes control of the process to begin background investigations.

The Human Resources Section Commander will assign a number of names from the eligibility list to the Backgrounds Unit to complete an investigation. The number of applicants designated to undergo a background investigation will be dependent upon the projected hiring slots available. Applicants shall also undergo a polygraph examination.

When the Department is prepared to actually select applicants for hire, the Human Resources Section Commander shall assemble a selection meeting to review all information on the available applicants. Those selected from the meeting will be given a conditional offer of employment, contingent upon their successful completion of a medical and psychological evaluation and post-offer pre-employment drug screening. If successful, the candidate is given a confirmed start date for employment.

4152 **Hiring of Non-Sworn Members**

Divisions seeking to hire non-sworn employees shall contact the Human Resources Section for assistance. At a minimum, Divisions must receive permission from a Bureau Commander to fill a vacant non-sworn position. In certain circumstances, particularly if there is a budgetary impact or if a Civil Service list must be created, additional permission must be obtained from the City Manager's Office. This will be coordinated with HRS by the Commander responsible for filling the vacancy.

HRS shall coordinate with City Human Resources in the testing and processing of applicants in accordance with Civil Service rules and policies. The Department may use a variety of test methods in filling these positions, including, but not limited to, written and oral examinations, practical skills testing and individual interviews. The choice of test methodology and the scoring criteria shall be established by the Department in advance of the process to insure fairness.

Upon receipt of the Civil Service eligibility list for a non-sworn position the Background Unit will proceed with polygraph examinations and background investigations as directed by the Human Resources Section Commander. Upon successful completion of this screening, the affected Commander will be notified of who is eligible for hire. That Commander is then responsible for review of all materials and selection of suitable candidates, subject to final approval by the Chief of Police. Persons selected for positions shall be conditionally notified of their selection and of the need for a post-offer pre-employment drug test (see *General Order 4157*). The Human Resources Section shall coordinate these contacts, preparation of appropriate paperwork and scheduling with the affected Commander.

4153 **Polygraph Examinations** [CALEA 32.2.4; 32.2.5; 32.2.6]

Polygraphs or other tests for the detection of deception shall be administered to all applicants for positions at the Police Department. Polygraph examinations for employment are scheduled and coordinated by the Human Resources Section. Prior to the examination, applicants will be provided with a list of questions in order to detail the scope of the examination.

The Department will select certified examiners to conduct such instruments either in-house or through a private contractor.

The results of such examinations become a permanent part of the confidential background investigative file. Showing deception on the polygraph examination shall not be the sole determinate of disqualification.

4154 **Psychological Examinations** [CALEA 32.2.8]

Applicants for sworn and some non-sworn positions undergo a post offer pre-employment examination to determine psychological stability and fitness. The examination will be administered by qualified personnel either in-house and/or through a contract vendor after a conditional offer of employment has been made to an applicant. The results of all such examinations become a part of the confidential background file.

4155 **Medical Examinations** [CALEA 22.3.1; 32.2.7]

Applicants for sworn positions shall undergo a post offer pre-employment physical medical examination per AZPOST standards. The City Physician, or facility designated by the City, will conduct the examination, the results of which remain confidential.

4156 **Retention of Applicant Records** [CALEA 32.1.6; 32.1.7; 32.2.3; 32.2.9]

All applicant files and records, including background files and files on disqualified candidates, are considered confidential. Storage of and access to these files shall be governed by the policies outlined in *General Order 4045*. Access to these files shall be under the control of the Human Resources Section Commander.

4157 **Post-Offer Pre-Employment Drug Testing**

All applicants to the Police Department shall be tested for controlled substances as part of the post-offer pre-employment hiring process. Applicants who fail the test shall not be hired.