Memorandum of Understanding
Between
The City of Madison
And
Madison Professional Police Officers' Association

Closed and Competitive Position Vacancies and Assignment Periods

This memorandum of understanding addresses the process for filling closed and competitive positions and the assignment periods that apply to those positions.

Selection process for closed and competitive positions

Prior to posting the vacancy, the commander responsible for the work unit/section will review the selection process with the appropriate Assistant Chief. The process for filling closed and competitive positions will be as follows:

1. The employee must submit a written expression of interest and a completed supervisory input form. A written memo and/or resume may also be required.

2. Employees who receive an adverse report from a supervisor may still compete for the position and have the option of attaching a written rebuttal to the supervisory input form. If the employee's commanding officer determines that the employee is not eligible to compete for the position due to work performance, the employee will be notified as soon as possible. The employee may appeal this determination to the Chief.

3. Candidates will participate in an oral interview. The interview process:

    a. The commander or supervisor responsible for the selection process will identify the oral board. The board will be comprised of a minimum of three (3) participants, to include: a commander/supervisor of the work unit with the vacancy; an MPPOA member (preferably with prior experience or expertise related to the work unit with the vacancy); and a civilian. The commander/supervisor identifying the oral board should give consideration to establishing a panel that reflects the diverse makeup of the organization and Madison community (to the extent possible). Commanders are also encouraged to include a community member from the City of Madison, with a preference of someone associated or familiar with the position being filled.

    b. The commander/supervisor responsible for the selection process will oversee the creation of interview questions and benchmarks for responses.

4. The commander/supervisor responsible for the selection process may utilize additional components to the process. Any additional components to the selection process must be included in the original posting for the vacancy. Examples of additional components include: written projects, scenario-based evaluations, skill assessments, etc.

5. Candidates will be ranked in order based on their cumulative score for all process components.

6. The commander/supervisor responsible for the selection process will review the candidates' relevant work history. This process can include: employment file review, PS&IA contact, contacting prior commanders/supervisors and collecting peer input.

7. The commanding officer responsible for the work unit with the vacancy will make a selection recommendation to the appropriate Assistant Chief. Deviation from the ranked order may be considered based on candidates' work/performance history or classification seniority. The final selection decision rests with the Chief. Any candidate has the right to request their numerical placing in the rank ordered list, and the department will provide that information to the candidate.

8. The rank list of candidates identified during the selection process will be maintained to fill future vacancies for a period of six (6) months (measured from the date the initial selection is announced). Any additional vacancies occurring during the six (6) month period must be filled from the eligibility list, provided that the employee has a willingness and necessary qualifications to accomplish the duties of the position. Selections will be made consistent with paragraph 7.

In the event only one candidate expresses interest in a position, the process described above is not required. The candidate, if otherwise qualified, may be selected for the position with the approval of the Chief. Vacancy notices cannot be reposted to elicit more candidates if only one eligible, otherwise qualified candidate applied to the original vacancy.

In the event that no candidates apply for a vacant position, the Chief may order an employee to fill a closed and competitive position. The employee to be ordered will be the least senior employee at the appropriate rank who is off probation (at the time the assignment becomes effective). The assignment term is for a minimum of one year, and the department must post a vacancy for the position after that time. Time in a closed and competitive position resulting from an order does not count toward any term limit.

Assignment Periods

General closed and competitive positions include the following:

CIS Officer
CIS Sergeant
School Resource Officer
Crime Prevention/Social Media Coordinator
Gang Unit Officer
Gang Unit Sergeant
Safety Education Officer
Special Investigations Unit Detective
Traffic Crash Investigation Specialist
Neighborhood Police Officer
Neighborhood Resource Officer
Mental Health Officer

Mental Health Sergeant
Task Force Uniform Officer
Task Force Detective
Task Force Sergeant
Training Sergeant (Inservice & Training Center)
CORE Sergeant
CORE Officer
TEST Motor Officer

The assignment period for general closed and competitive positions is four (4) years, with an option – at the Chief's discretion – to extend the assignment for a maximum of one (1) additional year. Employees who have completed an assignment rotation in a general closed and competitive position are not eligible to compete for another general closed and competitive position for two (2) years. This restriction does not apply if no other employee with the necessary qualifications expresses interest in a vacant closed position. Measurement of "year" as a term in this MOU is intended to refer to the department's shift-change time period, rather than calendar year.

Employees in a general closed and competitive position may compete for other vacant general closed and competitive positions prior to the end of their maximum assignment period. However, the total consecutive time in general closed and competitive positions may not exceed four (4) years, unless the Chief authorizes a one-year extension. At the end of four (4) years (or five (5) years, if the Chief has granted a one-year extension) the employee's assignment period is up; he/she is not eligible to compete for any general closed position for two (2) years. In instances where a position is filled mid-year, a partial year (eight (8) months or less) in a closed and competitive position will not count towards the employee's assignment period in that position.

In the event of a mid-year vacancy for a general closed position that no employee with the necessary qualifications expresses interest in, employees assigned to another closed position who are in the final year of their assignment period are eligible to compete for the position and, if selected, will begin a new four (4) year assignment period (with an option – at the Chief's discretion – to extend the assignment for a maximum of one (1) additional year).

If an employee spends one (1) year or longer in a position which is cancelled by the department, unless they spend two (2) years in patrol, their time in the cancelled closed position counts against their maximum term in any subsequently obtained closed and competitive position.

Specialized closed and competitive positions include the following:

Canine Officer
Mounted Officer (full-time)
Canine/Mounted Sergeant
Training Sergeant (Pre-Service)
Training Officer
Task Force Undercover Officer
Professional Standards and Internal Affairs Sergeant
Lead Traffic Crash Investigation Specialist (1)
Lead TEST Motor Officer (1)

The assignment period for specialized closed and competitive positions is at the discretion of the Chief. Employees at the end of their maximum assignment period in a general closed and competitive position are eligible to compete for specialized closed and competitive positions; no maximum assignment period applies. Employees who have been assigned to a specialized closed and competitive position for four (4) or more years are not eligible to compete for a general closed and competitive position for two (2) years after leaving the specialized closed and competitive position. This restriction does not apply if no other employee with the necessary qualifications expresses interest in a vacant closed position.

An employee who has been assigned to a specialized closed and competitive position for less than four (4) years is eligible to compete for a general closed and competitive position; if selected the total consecutive time in closed and competitive positions (specialized and general) may not exceed four (4) years, unless the Chief grants a one-year extension.

If an employee spends one (1) year or longer in a position which is cancelled by the department, unless they spend two (2) years in patrol, their time in the cancelled closed position counts against their maximum term in any subsequently obtained closed and competitive position.

In instances where a position is filled mid-year, a partial year in a closed and competitive position will not count towards the employee's assignment period in that position.

This MOU is in effect until December 31, 2021.

Victor Wahl, Acting Chief of Police — Date: 10/1/19

Kelly Powers, MPPOA President — Date: 10-04-19

Greg Leifer, Labor Relations Manager — Date: 10-10-2019