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<b>Employee Development Programs</b>		



## I. Introduction

The Division of Police recognizes the value of identifying the need for employee development through counseling, training or retraining, and assistance with personal or job-related concerns. Programs established for this purpose include the Employee Action Review System (EARS), Technical Skills Development Program (TSDP), and the Employee Assistance Program (EAP).

## II. Definitions

### A. EARS

EARS is the Division's proactive administrative tool designed to systematically identify patterns of behavior displayed by employees individually and as a group. It can be used to identify the need for positive corrective action, including officer safety issues, training, policies, procedures, supervisory involvement in employee development, counseling, informal peer discussions, or other strategic responses. EARS helps to defend the Division of Police in "custom and practice" and "failure to train" lawsuits and maintains high standards of performance within the Division.

### B. TSDP

TSDP is designed to correct deficiencies in job-related technical skills by providing remedial training to specific personnel. Program topics include, but are not limited to:

1. Report writing
2. Accident investigation
3. Traffic laws and enforcement
4. Division Directives Manual
5. Division firearms policy
6. Domestic disputes
7. Criminal law
8. Arrest, search, and seizure
9. Patrol operations
10. Police radio and computer operation
11. Defensive tactics

### C. EAP

EAP is a confidential program facilitated by Columbus **Public Health**. The program is designed to assist employees with personal or job-related concerns which may affect their personal or professional well-being. These concerns may include issues related to health, marital status, family, finances, substance abuse, emotional issues or stress, etc.

## III. Policy Statements

### A. EARS

1. EARS shall be used to explore an employee's job performance to identify risk indicators, behavior patterns, and trends.
2. EARS may initiate intervention by alerting the chain of command that a review of the employee's behavior is warranted. The chain of command shall then decide whether any actions, such as education or deterrence strategies, are necessary. This reinforces the supervisors' involvement in the employee's professional development and the chain of command's periodic review of all factors relating to the employee's job performance.

### B. TSDP

1. Personnel may participate in the TSDP through their own initiative or as a result of a supervisor's direction.
2. The Training Bureau, in coordination with the training coordinators, shall facilitate the program.

### C. EAP

1. Personnel may participate in the EAP through their own initiative or as directed by a Division supervisor.
2. Personnel showing a positive drug test during random drug testing shall be required to participate.
3. Personnel may participate in the program three times per year **while on duty** with no charge to their leave time.
4. Involved personnel shall contact the EAP office to arrange participation.

## IV. Procedures

### A. EARS for Sworn Employees

1. Internal Affairs Bureau (IAB)
  - a. No later than April 1<sup>st</sup> and October 1<sup>st</sup> of each year, review the following incidents in IAB's **investigations** database for patterns of behavior by all officers during the previous 12 months:
    - (1) Level 2 through Level 8 **uses** of force
    - (2) Complaints for which the investigations have been completed
  - b. **Review all complaints and exclude any with a finding of:**
    - (1) **Exonerated**
    - (2) **Policy/Procedure**

- (3) **Cancelled for Cause**
- (4) **Unfounded based on Article 8.12 in the current collective bargaining agreement, unless there were 3 or more of these complaints during the 12-month period under review**

**c. Prepare charts of the remaining complaints that:**

- (1) **Show the total number of incidents**
- (2) **Show the total number of officers involved**

**2. EARS Committee**

- a. During semiannual meetings, review the investigations identified by IAB.
- b. Vote to determine if the investigations reveal **emerging** patterns involving:
  - (1) Allegations (**clusters or those similar in nature**)
  - (2) Individual or group behavior
  - (3) Verbal or nonverbal communication
  - (4) Tactics
  - (5) Levels of use of force compared with subjects' resistance/aggression
  - (6) Race, size, gender, ethnicity, socioeconomic class, and other generally objective means of describing subjects/complainants
  - (7) Reactions to key words, actions, or circumstances
  - (8) Injuries sustained by citizens
  - (9) Personality conflicts
  - (10) Other areas of concern
- c. Prepare and forward to Executive Staff the minutes of EARS Committee meetings, including the names of all officers whose investigations were reviewed.
- d. The EARS Committee Chairperson shall present session findings to Executive Staff, including a brief synopsis of the circumstances regarding each person that is referred. Referral letters should be presented to the appropriate deputy chiefs at this time.
- e. The EARS Committee Chairperson shall review follow-up courses of action with the Training Bureau Liaison if the committee believes a pattern of conduct is caused by a training deficiency, or training is needed to improve responses.

**3. Deputy Chief**

Upon receiving the findings of the EARS Committee, forward **the packet** through the chain of command to the involved officer's immediate supervisor who shall conduct the follow-up when a perceived pattern has been identified.

4. Involved Officer's Immediate Supervisor
  - a. **Examine** the investigations reviewed by the EARS Committee, consider all applicable records, and then interview the officer.
  - b. **Contact the EARS Chairperson if questions remain on the findings of the committee, such as what specifically was noted that concerned the committee.**
  - c. Complete a Sworn EARS Action Plan, form J-10.110S, and make a recommendation **on** whether **there exists** a pattern **of conduct that warrants further review** or **another problem**. Forward it through the chain of command within 14 days of receiving the EARS Committee findings.
    - (1) Recommend no further action when the review reveals no evidence of a pattern or another problem.
    - (2) Recommend a course of action when the review reveals evidence of a pattern or another problem. Refer to the Supervisor's Manual for possible courses of action to recommend.
5. Involved Officer's Chain of Command
  - a. Review the immediate supervisor's recommendations for accuracy, fairness, and compliance with Division policies.
  - b. Forward the summary of the follow-up to the appropriate **deputy chief** for approval.
6. Deputy Chief
  - a. Upon receiving the summary of the follow-up, approve a course of action, and forward through the chain of command to the involved officer's immediate supervisor.
  - b. Forward a copy of the chain of command findings and/or Sworn EARS Action Plan to the EARS Committee Chairperson.
  - c. Ensure that the follow-up course of action is implemented by the involved officer's immediate supervisor.
  - d. Forward all follow-up information to the Personnel Unit when completed.
7. Involved Officer's Immediate Supervisor
  - a. Once **a** course of action is approved by the appropriate deputy chief, discuss the concerns with the officer and cause the follow-up course of action to be implemented.
  - b. Forward a draft of the Sworn EARS Action Plan to the Personnel Unit for filing.
  - c. Upon completion of the Sworn EARS Action Plan, forward all follow-up information to the appropriate deputy chief.

8. Involved Officer's Change of Assignment during Sworn EARS Action Plan
  - a. Involved employee's former immediate supervisor
    - (1) Forward **the** Sworn EARS Action Plan to **the** employee's immediate supervisor of the new assignment.
    - (2) Meet with the employee's immediate supervisor and discuss the Sworn EARS Action Plan.
  - b. Involved employee's immediate supervisor
    - (1) Advise the chain of command of the approved Sworn EARS Action Plan.
    - (2) Assume responsibility for implementation of the approved Sworn EARS Action Plan.
9. Personnel Unit
  - a. File the draft of the Sworn EARS Action Plan in the officer's personnel file.
  - b. Upon receipt of the completed Sworn EARS Action Plan, maintain the original in the officer's personnel file.
10. Professional Standards Bureau
  - a. Conduct an annual evaluation of EARS for sworn employees.
  - b. Forward a report of the evaluation to the Chief of Police by April 1<sup>st</sup> of each year to include recommendations for improving the efficiency and effectiveness of the system. Include:
    - (1) Number of referrals reviewed
    - (2) Number of plans submitted versus no action
    - (3) Three-year review to check for repeat referrals
    - (4) Any additional details/data necessary to determine efficiency and effectiveness
11. Training Bureau Liaison

Review follow-up courses of action with the EARS Chairperson and adjust the in-service training program as needed in response to trends and problems revealed.

## B. EARS for Civilian Employees

### 1. IAB

No later than April 1<sup>st</sup> and October 1<sup>st</sup> of each year, review the IAB database for citizen complaints involving civilian personnel. Forward the findings with a Civilian EARS Plan, form J-10.110C, to the involved employee's **bureau commander/manager** when a civilian employee has been involved in **three** citizen complaints within the previous 12 months.

2. Involved Employee's **Bureau Commander/Manager**  
Review the findings received from IAB and forward it through the chain of command to the involved employee's immediate supervisor.
  3. Involved Employee's Immediate Supervisor
    - a. Conduct an interview with the involved employee.
    - b. Complete the Civilian EARS Plan and make a recommendation whether additional counseling or training is needed.
    - c. Within 14 days of receipt, forward the completed Civilian EARS Plan through the chain of command to the involved employee's **bureau commander/manager**.
  4. Involved Employee's Chain of Command  
Review the immediate supervisor's recommendations for accuracy, fairness, and compliance with Division policies.
  5. Involved Employee's **Bureau Commander/Manager**
    - a. Review the completed Civilian EARS Plan returned through the chain of command by the involved employee's immediate supervisor.
      - (1) If no further action is required, forward the Civilian EARS Plan through the involved employee's deputy chief to the Personnel Unit for filing.
      - (2) If additional counseling or training is recommended and approved:
        - (a) Cause the counseling or training to be scheduled.
        - (b) Notify the involved employee's chain of command.
        - (c) Forward the completed Civilian EARS Plan through the involved employee's deputy chief to the Personnel Unit for filing.
  6. Personnel Unit  
Maintain the original Civilian EARS Plan in the employee's personnel file.
  7. Professional Standards Bureau
    - a. Conduct an annual evaluation of EARS for civilian employees.
    - b. Forward a report of the evaluation to the Chief of Police by April 1<sup>st</sup> of each year to include recommendations for improving the efficiency and effectiveness of the system.
- C. TSDP
1. Division Employee Requesting to Participate
    - a. Submit an application to attend training listed in the training course catalog through the chain of command to your **bureau commander/manager**.

- b. Include the following information in the request:
  - (1) The specific skill or skills needing improvement.
  - (2) The reason for the remedial training, including any or all of the following:
    - (a) Job performance or confidence is hampered or ineffective due to a lack of knowledge or skill in the specified area.
    - (b) No basic or previous training received in the specified area.
    - (c) Inadequate basic or previous training in the specified area.
    - (d) Significant updates or revisions in the specified area since the previous training was conducted.
2. Division Supervisor Requesting an Employee's Participation
  - a. Submit a written request through the chain of command to the involved employee's **bureau commander/manager**.
  - b. Include the following information in the request:
    - (1) Documentation establishing the area of deficiency, such as:
      - (a) Supervisor's personal knowledge
      - (b) Information received from the employee's co-workers
      - (c) Staff inspection report
      - (d) Prosecutor's notification
      - (e) Public notification (for example, complaints)
      - (f) Copies of written examples, such as reports, forms, etc.
    - (2) Documentation of unsuccessful steps, instruction, or programs previously implemented and designed to correct the stated deficiency, including any counseling or progressive discipline.
3. Involved Employee's **Bureau Commander/Manager**
  - a. Approve or disapprove the request.
  - b. Forward approved requests to the appropriate training coordinator.
  - c. Return disapproved requests to the originator.
4. Training Coordinator
  - a. Coordinate TSDP training with the Training Bureau.
  - b. Advise the involved employee of the scheduled training.
5. Involved Employee's Immediate Supervisor

If the training was a result of a supervisory request, monitor the employee for skill improvement.