


YORK-POQUOSON SHERIFF'S OFFICE	RULES AND REGULATIONS
SUBJECT: Hiring New Personnel and General Physical Fitness	NUMBER: RR 1-5
EFFECTIVE DATE: July 1, 2021	REVIEW DATE: November 3, 2020
AMENDS/SUPERSEDES: RR 1-5 October 22, 2018	APPROVED: _____  Sheriff
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3 Hiring
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12 **POLICY**

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14 The York County Sheriff's Office strives to obtain the best law-enforcement officers possible and
15 to maintain the general health and physical fitness of all deputies to help achieve the agency's goals
16 and meet community needs. The Sheriff's Office follows a standardized selection process, which
17 provides for equal opportunity regardless of race, creed, color, sex, national origin, sexual
18 orientation, or age. The Sheriff's Office does not discriminate against people with disabilities and
19 affords them the same access to employment provided to all citizens. Where possible, the Sheriff
20 provides reasonable accommodation to the known disabilities of qualified people. All Sheriff's
21 Office personnel who participate in screening and hiring applicants shall be guided by fairness,
22 equal opportunity, and consistency in applying the procedures set forth in this order. Further, it is
23 the policy of the Sheriff that all personnel will be required to take the attached oath of office before
24 assuming sworn status.

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26 **PURPOSE**

27
28 The purpose of this directive is to outline minimum hiring and physical fitness maintenance
29 requirements for deputy sheriffs, and to satisfy requirements of the Virginia Law Enforcement
30 Professional Standards Commission (VLEPSC) standard that all personnel prior to assuming
31 sworn status shall take an oath of office to enforce the Constitution of the United States, the
32 Constitution of Virginia, and the ordinances of the County of York and the City of Poquoson.

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34 **PROCEDURES**

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- Application Process
 - During the application process, the Sheriff or his designee shall ensure that the following requirements are satisfied:
 - Job openings are advertised as required by law through the York County Department of Human Resources.
 - Review submitted applications.
 - Schedule applicant interviews.

- Qualifications
 - The minimum qualifications for the position of deputy sheriff exceed [Section 15.2-1705](#), Code of Virginia and are as follows:
 - Complete an online employment application with York County Division of Human Resources during the advertised period;
 - Furnish all information required for the selection process;
 - Not have been convicted of or pleaded guilty or no contest to a felony or any offense that would be a felony if committed in Virginia;
 - Not have been convicted of an offense involving Domestic Violence;
 - Not have been convicted of a misdemeanor offense involving moral turpitude;
 - Not have produced a positive result on a pre-employment drug screening;
 - Not have been decertified as a law enforcement officer by the Virginia Department of Criminal Justice Services or other state’s law enforcement certifying agency for misconduct or a violation of the law;
 - Current state law enforcement certification is preferred;
 - Be at least 21 years of age.
 - Be a United States citizen.
 - Possess or have the ability to obtain a current Virginia motor vehicle operator’s license.
 - Provide a signed and notarized release of information form authorizing the Sheriff’s Office to request and receive prior employment records and other records necessary to conduct a thorough back ground investigation;
 - Undergo a successful background investigation.
 - Undergo a physical examination, subsequent to a conditional offer of employment, conducted under the supervision of a licensed physician.
 - Undergo a psychological screening examination, subsequent to a conditional offer of employment.

- Background Investigation
 - Background investigations will be assigned to a specific individual for processing.
 - Findings from the investigation will be considered in the hiring process.
 - The background investigation shall include, at a minimum the following:
 - DMV driving records check.
 - Fingerprint-based criminal history records inquiries to both the Central Criminal Records Exchange and the Federal Bureau of Investigation, and
 - Personal history, including:

- 80 ❖ Inquiry of family, friends, and associates as to good moral character and
81 reputation;
- 82 ❖ Credit history, including current creditors;
- 83 ❖ Comprehensive employment history and education, including all schools
84 attended and degrees or certificates obtained; High school graduate or GED
85 equivalent.
- 86
- 87 ○ Prior Commonwealth of Virginia certified law enforcement officers background check
- 88 ■ In accordance with Section 15.2-1705., Code of Virginia the Sheriff or his designee
89 shall, prior to making a conditional offer of employment, request and receive the
90 following from prior Commonwealth of Virginia employing law enforcement
91 agencies, jails and the Director of the Department of Criminal Justice Services,
92 information pertaining to:
- 93 ❖ The arrest or prosecution of the former officer to include:
- 94 ➤ Expunged arrest or criminal charges known to the agency or disclosed to the
95 agency during their hiring process;
- 96 ➤ Information regarding civil suits involving the former officers employment
97 or performance of his duties;
- 98 ➤ Information obtained during the course of an internal investigation related to
99 the officers:
- 100 ✓ Alleged criminal conduct;
- 101 ✓ Use of excessive force;
- 102 ✓ Other misconduct in violation of the state professional standards of
103 conduct.
- 104
- 105 ➤ Information related the former officer's job performance that led to his:
- 106 ✓ Resignation;
- 107 ✓ Dismissal/Termination;
- 108 ✓ Demotion;
- 109 ✓ Suspension, or
- 110 ✓ Transfer.
- 111
- 112
- 113 ● Interviews
- 114 ○ All interviews will be conducted uniformly, so as to provide an equitable rating system.
- 115 ○ All candidates will be directed to answer the same pre-printed questions.
- 116 ○ Interviews will not be discriminatory based on age, race, creed, nationality, origin, sex,
117 disability, handicap, political affiliation, or martial status.
- 118 ○ Have the applicant sign any additional required release forms.
- 119
- 120 ● Selection process
- 121 ○ All sheriff's Office personnel involved in the selection process, to include interviews
122 and back ground investigations, shall have received training in these areas.
- 123 ○ The preliminary selection criteria above shall be used as a guide to furnish the Sheriff
124 with a recommended list of applicants for his final selection.

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- The Sheriff will make all conditional offers of employment. The candidate must then under go:
 - A background Investigation
 - ❖ The prior law enforcement employment information listed above shall be requested and received prior to any conditional offer of employment involving a former Commonwealth of Virginia law enforcement officer.
 - ✓ Agencies receiving the above request are required to provide the requested information within 14 days of receipt of the request.
 - ❖ The prior law enforcement employment information listed above shall be requested prior to any conditional offer of employment involving former law enforcement officers from other states or territories.
 - ✓ Conditional offers of employment shall be withdrawn if any information is received from a prior out of state employing law enforcement agency which would render the candidate unqualified in accordance with Section [15.2-1705](#), Code of Virginia.
 - A physical examination (mandated by § [15.2-1705](#), Code of Virginia),
 - A psychological examination,
 - A drug screening, and a related inquiry, required by all entering employees in sworn positions.
 - The physical and psychological examinations shall be provided at no-cost to the prospective employee.
 - No conditional offer will be considered final until a satisfactory physical examination, psychological examination, drug screening, and background investigation is completed.
 - After the conditional offer has been made, the applicant may be asked about previous injuries and workers' compensation claims.
 - Orientation
 - All new Sheriff's Office employees/appointees will attend a York County employee orientation training session.
 - Attendance ensures that the employee/appointee understands job benefits, health plans, and administrative matters, conditions of employment, disability, and retirement.
 - New employees/appointees will also receive an initial Sheriff's Office orientation that covers specific agency policies and procedures, court and office locations etc.
 - Unsuccessful applicants
 - Unsuccessful applicants may re-apply once a new vacancy exists, unless otherwise disqualified for employment as a law enforcement officer.
 - Unsuccessful applicants will receive notification of application disposition.

- 170
- 171 • Selection Records
 - 172 ○ All selection, testing, and interview records shall be maintained for a minimum period
 - 173 of three years.
 - 174
 - 174 • Lateral entry
 - 175 ○ A current-certified law enforcement officer from another Virginia agency must meet the
 - 176 criteria set forth above.
 - 177 ○ If accepted for employment, the individual may or may not be assigned to attend a basic
 - 178 academy, subject to the status of the individual's certification and training; partial
 - 179 training may be required.
 - 180 ○ The employee in charge of the selection process shall ensure that an applicant with prior
 - 181 law-enforcement experience has not been decertified per § [15.2-1707](#) and [15.2-1708](#),
 - 182 Code of Virginia.
 - 183
 - 184 • Validation of selection procedures
 - 185 ○ Sheriff's Office hiring procedures follow the requirements that are set forth by the York
 - 186 County Division of Human Resources.
 - 187 ○ The Sheriff or his designee, in consultation with York County Human Resources
 - 188 Officer shall periodically review selection procedures for validity and uniformity.
 - 189 ○ For additional guidelines, refer to County of York, Personnel Policies and Procedures
 - 190 Manual, [Chapter 7: Personnel Recruitment, Selection, and Orientation](#).
 - 191
 - 192 • Probation
 - 193 ○ All newly-hired deputies and civilian personnel shall be probationary employees for one
 - 194 year from the date of Employment.
 - 195 ○ The same probationary period applies to deputies hired through lateral entry.
 - 196 ○ Prior to and during attendance at the training academy, deputies shall **only** perform law
 - 197 enforcement duties under the direct supervision of supervisors or field training officers.
 - 198
 - 199 • Field training
 - 200 ○ All newly hired deputies shall complete a field training period under the direct
 - 201 supervision of a field training officer (FTO).
 - 202 ○ Newly hired deputies also must receive a favorable evaluation by their FTO during
 - 203 this period. For additional information, see [RR 1-12B, Training](#).
 - 204 ○ Probationary employees will be evaluated at least twice during the probationary
 - 205 period). At a minimum, probationary employees will be evaluated between their fifth
 - 206 and seventh month of employment and at the conclusion of the twelve month period.
 - 207 ○ At the conclusion of the rating period, each employee shall be counseled in the
 - 208 following areas:
 - 209 ▪ Results of the performance evaluation just completed.
 - 210 ▪ Level of performance expected, rating criteria or goals for the new reporting
 - 211 period. Supervisors shall receive feedback at least once during the evaluation
 - 212 period from each of their employees.
 - 213
 - 214 ○ For additional guidelines, refer to [RR 1-6, Performance Evaluation](#).

- 215 ○ At the end of the probationary period, the employee’s immediate supervisor shall write a
216 performance evaluation in which he or she must rate the appointee as having met
217 minimum acceptable performance in all areas, see [RR 1-6, Performance Evaluation](#).
218 ○ The Sheriff reserves the right to extend the probationary period an extra 90 days because
219 of an unsatisfactory rating.
220 ○ A second unsatisfactory rating, at the end of 90 days, in any category shall provide cause
221 for dismissal.
222 ○ Probationary employees who wish to protest their ratings have no appeals rights except
223 to request an interview with the Sheriff.
224
- 225 ● Employee Records
 - 226 ○ For each employee/appointee, the Sheriff’s Office maintains a personnel record which
227 includes all forms completed during the hiring process, all evaluations, complaints,
228 commendations, leave/attendance record, and assignments.
 - 229 ○ The Sheriff delegates the maintenance and control of all personnel records to the
230 Administrative Division. The Sheriff’s Office complies with the records retention
231 schedule set by the Library of Virginia.
 - 232 ○ Employees/Appointees may review their records at any reasonable time upon request.
233 The Sheriff may release a record from file upon obtaining a signed receipt from the
234 authorized person with a need to review it.
 - 235 ○ All personnel records are considered confidential, sensitive information available for
236 review to supervisory or investigative personnel who have a need, as determined by the
237 Sheriff.
 - 238 ○ If the Sheriff deems it necessary to include derogatory information in a personnel file,
239 he/she shall notify the employee/appointee of the fact in writing. The employee may
240 protest the inclusion of such information in writing to the Sheriff.
 - 241 ○ Probationary employees/appointees have no right of protest in such matters, but may
242 request an interview with the Sheriff.
 - 243 ○ Personnel records are the permanent property of the Sheriff’s Office.
 - 244 ○ Deputies terminating employment and seeking a lateral hire with another agency:
 - 245 ■ Requests for employment information on these deputies shall be referred to the
246 Sheriff or his designee. The Sheriff or his designee shall disclose the deputy’s
247 performance record consistent with Section [15.2-1705](#), Code of Virginia, within 14
248 days of receipt of a request for such records accompanied by a signed and notarized
249 release by the former deputy sheriff.
 - 250
 - 251 ○ Any request for information on a present or past employee/appointee shall be limited to
252 information contained only in the official personnel file and information required to be
253 released in accordance with Section [15.2-1705](#), Code of Virginia.
 - 254
 - 255 ● Oath of Office
 - 256 ○ As a part of the appointment procedure, the Sheriff will make contact with the Clerk
257 of the Circuit Court and arrange to have newly appointed employees sworn.
 - 258 ○ A representative of the Sheriff’s Office will accompany appointees during the
259 swearing-in ceremony.

- 260 ○ A letter of appointment, signed by the Sheriff, will be given to the Clerk of the Circuit
261 Court authorizing the swearing-in of deputies.
262
- 263 ● General health and physical fitness
 - 264 ○ Applicants for deputy sheriff shall receive a pre-employment physical exam.
 - 265 ○ The physical exam will be scheduled after a conditional offer of employment has been
266 made to the applicant.
 - 267 ○ A pre-employment physical exam will be administered at no-cost to the prospective
268 employee.
 - 269 ○ The physical is to ensure that each sworn employee is able to endure the rigors of
270 strenuous exercise during training and in the performance of his/her duties.
 - 271 ○ Deputy Sheriffs must continue to meet, as a condition of employment, the physical
272 standards established in the job specifications for the assigned position.
 - 273 ○ To ensure compliance, deputies may be given a special physical examination any time
274 after employment when requested by the Sheriff.
 - 275 ○ As such, deputies are expected to maintain an acceptable level of physical fitness that
276 ensures that each deputy is physically prepared to satisfactorily perform all standards of
277 job performance.
 - 278 ○ If it is questionable whether or not an employee is physically able to perform his/her
279 duties, he/she will be required to submit to a special physical examination at the request
280 of the Sheriff. This physical will be provided at no-cost to the employee.
 - 281 ○ Employees are encouraged to workout off-duty and to engage in physical fitness and
282 sports activities.
 - 283 ○ Employees are periodically provided the opportunity to attend a health day seminars or
284 screenings that promotes total wellness.