

**TITLE: TRANSFER POLICY**

**CODIFIED: 20.1**

**EFFECTIVE: 07/23/04**

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**PURPOSE**

The purpose of this directive is to establish guidelines for personnel transfers.

**DISCUSSION**

The various types of transfers include, but are not limited to: Transfer of job assignments within the same job classification (transfers between patrol squads/teams or transfers from one Investigative Unit to another (Violent Crimes to White Collar); transfer to a specialized unit upon testing and selection to a position; transfers made due to the need for manpower reallocation; transfers due to disciplinary or corrective action.

**POLICY**

It is the policy of the Santa Fe Police Department to make personnel transfers in a fair and equitable manner while still maintaining the best interests of the Department and City of Santa Fe.

**PROCEDURE**

**TRANSFERS WITHIN CLASSIFICATION**

**20.1.01** Lateral transfers to positions within an employee's classification/career ladder, (excluding transfers into any specialized assignment/position) may be made for two (2) reasons, to include:

- A.** Transfers that are made in the best interest of the Department.
  - 1.** Employees may be transferred within their classification at the direction of the Chief of Police for any reason.

- 2.** Transfers within classification are nongrievable since no property right is affected.
  - 3.** Included in this category are requests by commanders for a transfer of personnel to address concerns, problems, or area shortages.
- B.** Transfers that are made at the request of the employee, with justification and approval by the office of the Chief of Police.
- 1.** Transfers within job classification may be requested by personnel for various reasons, to include officers or civilians who are seeking to achieve experience in multiple areas; personnel who may have special needs or problems which could be addressed by transfer; or personnel who wish to attend continuing education programs.
  - 2.** The procedures for effecting this type of transfer are listed as:
    - a.** Personnel requesting to be transferred to another job assignment within their classification must submit a memorandum stating the reason for the request and the request must be approved through the chain of command, and final approval rests with the Office of the Chief of Police.
    - b.** Under normal circumstances, there must be an employee in the area that transfer is being requested who is willing to transfer (switch positions) to the requesting employee's present job assignment.
    - c.** In extenuating circumstances, if no other employee is willing to transfer to the requesting employee's job assignment, the Chief or his/her designee may find it necessary to effect the transfer by choosing the junior person on the squad/team/unit to fill the vacancy created by the requesting employee. This option will only be used when the appropriate Division Director and the Chief of Police have granted approval.

- d. The employee who was chosen to transfer should be given the first opportunity to return to his/her previous assignment when an opening becomes available.
- 3. A copy of the approved request for transfer, to include the names of all affected employees will be maintained in the officer's personnel files for a period of one year.

**20.1.04** Selection to a specialized unit or position shall be accomplished through testing and creation of a list of eligibles identified through the testing process.

**TRANSFERS DUE TO MANPOWER REALLOCATION**

**20.1.05** The Chief of Police retains the right to staff components within the Police Department to assure adequate services to the community. In keeping with this philosophy, the Chief and his/her staff will conduct a annual review of the manpower allocation study to determine the need for continuance of assignment, assignment of additional manpower, or reallocation of positions.

- A. In the event that reallocation of manpower is required, transfers within job classifications will be announced by the Office of the Chief of Police. Prior to reassignment of personnel, the Chief will consider the needs of the Department, the needs of affected personnel, and seniority of the personnel involved.
- B. In the event that reallocation of manpower involves transfer from one classification to another, employees will be notified of the impending reclassification as per the City of Santa Fe Personnel Rules and Regulations (PRR).
  - 1. The Chief of Police shall adhere to all applicable guidelines as set forth in the Personnel Rules and Regulations and/or any existing collective bargaining agreements when making these types of manpower adjustments.

**TRANSFER DUE TO DISCIPLINARY OR CORRECTIVE ACTION**

**20.1.06** All transfers and/or demotions made that are disciplinary in nature shall be made in accordance with the Personnel Rules and Regulations, and the City of Santa Fe/ S.F.P.O.A contract agreement, regarding Disciplinary action, which includes the right of the employee to appeal, if property rights are affected.

**UNITS AND ASSIGNMENTS**

**20.1.02** The Santa Fe Police Department seeks to assure that all personnel are properly notified of actual or anticipated openings in specialized assignments and allows all eligible employees equal opportunity to request consideration for the position(s).

A. The following assignments and/or functions are designated as specialized assignment in which the duties performed are in addition to regular assigned duties within the Santa Fe Police Department:

- 1. S.W.A.T./Hostage Negotiator
- 2. Explosive Ordnance Disposal Unit
- 3. K-9 Officer
- 4. Field Training Officer

B. A listing of qualifications and eligibility requirements for all specialized positions in the Santa Fe Police Department are kept on file in the Chief's Administrative Office file and in the City of Santa Fe Human Resources Office.

**NOTE:** For further information regarding eligibility for specialized assignments refer to the Department Directive entitled "Career Development".

**20.1.03** When a vacancy is actual or anticipated in a specialized unit, the Chief's office will announce the opening in memoranda form, to include all eligibility requirements for the position and the final date for submission of a memorandum of interest. The selection process will be in accordance with the appropriate Union Contract and Personnel Rules and Regulations.

## TRANSFERS DUE TO INABILITY TO PERFORM ADDITIONAL SPECIALIZED DUTY REQUIREMENTS

**20.1.07** In the event that an sworn officer is assigned to a specialized position which has additional requirements beyond those identified for specific classifications of sworn personnel, he/she is required to meet the additional requirements for retention in that position.

**A.** Should an employee be determined to be physically or mentally unable to perform the specialized function, removal from that position may occur. This may be on a temporary or permanent basis dependent upon the employee's ability to meet the requirements as determined by the Chief, and based upon the available information at the time. Such positions are listed as:

1. S.W.A.T./Hostage Negotiator
  - a. Inability to maintain physical fitness requirements as outlined in the S.W.A.T. Standard Operating Procedures Manual entitled "Retention".
  - b. Inability to pass a physical or psychological exam as determined by a licensed, qualified physician, psychiatrist or psychologist.
2. Explosive Ordnance Unit
  - a. Inability to maintain physical fitness requirements as outlined in the requirements for acceptance into EOD School (blood pressure, EKG, eyesight).
  - b. Inability to pass a physical or psychological exam as determined by a licensed, qualified physician, psychiatrist or psychologist.
3. Narcotics/Vice Unit
  - a. Inability to pass a psychological exam as determined by a licensed, qualified psychiatrist or psychologist.
4. Motorcycle Officer/Bicycle-Beat Officer.

a. Inability or medical prohibition to operate a motorcycle or bicycle.

**B.** Should an employee be diagnosed as unable to perform the required duties of these specialized assignments on a temporary basis, the Chief of Police may elect to assist the employee by allowing leave or allowing a temporary reassignment of personnel within the same classification. This decision will be made in a case-by case basis and the individual facts and circumstances must be weighed against the best interest of the department. Consideration will be given to:

1. Physician's diagnosis and recommendation.
2. The amount of time required for the employee to regain the ability to perform.
3. Manpower allocation and critical assignment factors.
4. The needs of the Department.
5. The needs/rights of the employee.
6. The employee's performance record in that position.
7. All applicable Personnel Rules and Regulations.

**C.** In the event that a temporary or permanent transfer becomes necessary, all applicable Personnel Rules and Regulations and S.F.P.O.A. contract agreement shall be followed, to include the appeal process by the employee (if a property right is at stake).

## TEMPORARY TRANSFERS/ASSIGNMENTS

**20.1.08** Temporary transfers and/or assignments may be made for the following reasons:

- A.** An employee injured in the line of duty may be able to return to work to perform an alternate duty assignment when there is an open position that the employee is qualified for.
1. The employee must be cleared by the assigned Workmen's Compensation physician in writing, to include a list of physical abilities and/or limitations.

2. Approval must be obtained through the office of the Chief of Police.
- B.** An employee injured in the line of duty may qualify for City Alternate Duty Assignment as listed in the Personnel Administrative Manual.
1. This is an option when there are no existing openings within the Department for which the employee is qualified or able to perform.
  2. Approval must be obtained from the office of the Chief and the Director of Risk Management, as per City Policy.
  3. The employee must be cleared by the assigned Workman's Compensation physician in writing, to include a list of physical abilities and/or limitations.
- C.** A female employee is pregnant and requires alternate duty assignment as outlined in the Department Directive entitled, "Maternity/Paternity Leave".
1. For further details regarding alternate duty assignment for pregnant females, refer to the above entitled Directive.

**TEMPORARY ASSIGNMENT (NOT A TRANSFER)**

**20.1.09** During the course of an investigation, alternatives may be identified wherein assistance from other components would be necessary. Use of personnel resources during these situations is not considered a transfer, it is a temporary reassignment. An example of this situation would be an operation where a female officer normally assigned to patrol might be assigned to assist with a decoy operation.

- A.** The requesting component commander would assure that a case plan had been prepared to outline the need for temporary reassignment and would present this case plan to the Office of the Chief for approval.
- B.** When possible, reassignment of personnel will be coordinated through all affected area commanders and sufficient staffing levels would be maintained in all areas. Final approval for

this type of operation rests with the Office of the Chief.

- C.** Temporary assignments may be expanded to address needs of the Department, as determined by the Chief, for a maximum period of six months. This may be subject to an extension of an additional six months. Examples include a sworn officer assigned to Accreditation; temporary beat assignments during the summer months; proactive gang intervention.
- D.** Temporary reassignments may also be approved on a case-by-case basis to assist with on-the-job training and career development. The following is an example of a temporary reassignment:
  1. A preliminary investigating officer may, through his/her chain of command, receive permission to assist in the investigation.
  2. Permission shall also be obtained from the Investigations Commander.
  3. The availability of manpower will be taken into consideration on these requests.
    - a.** When a patrol officer receives permission, not only is the officer able to follow through on his/her initial investigation, but is also afforded the opportunity to gain additional investigative experience.
    - b.** As a result, the investigative process will be strengthened, it will enhance the officer's career development, it will improve crime investigation reporting, and it will improve and provide more complete preliminary investigations by the patrol officers, and create a pool of patrol officers with investigative experience.
    - c.** Temporary transfers of this type are limited to specific cases, and not intended to provide long term assignment.

Drafted (awm) 02/03

APPROVED: \_\_\_\_\_

**BEVERLY K. LENNEN**  
Chief of Police

DATE: 07-23-04