

**COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK**

GENERAL ORDER MULTI-BUREAU	DATE OF ISSUE OCTOBER 23, 2019	EFFECTIVE DATE OCTOBER 23, 2019	NO. 067-19
SUBJECT: GENERAL ORDER Personnel Early Warning & Intervention System		DISTRIBUTION All Personnel	AMENDS
REFERENCE:			RESCINDS 067-11

Purpose: To establish guidelines to identify an employee with behavioral patterns that signal potential performance deficiencies that may prove problematic to the employee and/or to the efficiency and effective operation of the Sheriff's Office, and to initiate a means of providing appropriate corrective action when warranted.

Policy: It is the policy of the Sheriff's Office to actively monitor employees conduct and provide systematic reviews of specific, significant events involving agency employees. This system is necessary for the agency to exercise its responsibility to evaluate, identify and assist employees who exhibit signs of performance and/or stress related problems, and is intended to serve as a systematic approach to highlight tendencies that may otherwise be overlooked.

I. Scope and Purpose

This policy shall apply to all sworn and civilian personnel of the Sheriff's Office. This system is time sensitive and is designed to effectively organize critical performance and evaluation data in a format conducive to promptly identify early indicators of certain issues and to facilitate any necessary or appropriate follow-up activities.

II. Responsibilities Defined

- A. Undersheriff- will act on behalf of the Sheriff by participating in, overseeing and monitoring the implementation of this policy throughout the agency.
- B. Bureau Chiefs- will be responsible for ensuring the effective implementation and oversight of the policy in their respective bureaus/sections.
- C. Command & Supervisors – will be responsible for actively monitoring employee conduct, intervening, and properly notifying the appropriate channels when an employee's behavior adversely affects the employee, the employee's performance, or agency operations.
- D. All Employees will be responsible for their own conduct. Employees, who are the subject of an Early Warning review or referral, will promptly and fully cooperate with his/her supervisors, or anyone else involved in the furtherance and completion of the Early Warning System (EWS) review.
- E. EWS variables used to assess the likelihood of possible intervention may include, but are not limited to, the following:

1. Primary Indicators:
 - a. Number of citizen or inmate complaints.
 - b. Number of verbal and written coaching/counseling sessions.
 - c. Number of use of force situations.
 - d. Number of on-duty motor vehicle accidents.
2. Secondary Indicators:
 - a. Number of initiated inmate infractions (jail).
 - b. Substandard employee evaluation ratings.
 - c. Attendance (sick time frequencies, patterns of sick usages and instances of tardiness).
 - d. Employee injury occurrences.
 - e. Number of discretionary arrests initiated (specifically-resisting arrest, disorderly conduct and obstructing governmental admin).
 - f. Number of initiated vehicle pursuits.
 - g. Being party to a Notice of Claim and/or lawsuit.

III. Procedures

- A. Identification under the EWS Guidelines. Identification of an employee for review under the EWS may originate from the following sources:
 1. The employee.
 2. The employee's supervisor, at or above the level of the immediate supervisor.
 3. Bi-annual review by each employee's immediate supervisor.

B. Early Warning Guidelines

1. Agency supervisors charged with monitoring subordinate performance will conduct a biannual review of each of their subordinates from the time frames of January 1st to June 30th, and July 1st to December 31st. The review shall be made utilizing form MB-045 Early Warning Intervention Checklist, which may be kept in the employee's incident file for consistency and ease of documentation. This form includes the variables list in Section II(E) that shall be used to identify employees who have a performance profile that rises above a normative level that is comparable to those being evaluated given job assignment and functionality.

Note: EWS review and intervention could result for employees who have a performance profile that is significantly lower than the established normative level, as well.

2. Every supervisor is charged with maintaining a comprehensive record of performance issues (positive notes as well as any noted deficiencies) for each employee, as memorialized within their respective incident log to effectively monitor EWS variables.

Note: All citizen or inmate initiated complaints will be documented by the supervisor charged with investigating such complaint in the incident file. The notation must include the allegation, actions taken by the investigating supervisor, and findings.

3. Supervisors will be required to periodically review an employee's file prior to a six (6) month review, for any performance related matters. A supervisor will immediately initiate a review when it becomes evident that any of the following conditions exist within a six (6) month review (Supervisor Triggers):

- a. Three (3) citizen/inmate complains (demeanor, driving, etc.) filed against the employee.
- b. Three (3) instances of the use of force/use of subject management techniques.
- c. Two (2) instances of involvement in an avoidable/contributory on-duty motor vehicle accident.
- d. A discernable pattern of excessive sick leave or tardiness.
- e. Any act or threat of violence by an employee toward another employee or employees.
- f. Behavior of an employee that is so unusual or inappropriate that it created an unsafe work environment or disrupts the normal working condition.
- g. Any apparent identification of an employee experiencing physical or mental problems (i.e., bruises, sleepiness, behavioral changes, etc.)
- h. An employee's involvement in an emotionally or physically traumatic incident that appears to have detrimentally affected his or her normal performance standards.

IV. Notification

- A. Whenever a decision is made by a supervisor to select an employee for EWS review, appropriate notification will be given to the employee. Such notification will adhere to the following:
- 1. The employee's immediate supervisor will inform the employee of the basis for the review, noting the specific variables indicating the necessity for EWS selection.
 - 2. After speaking with the selected employee, the supervisor will determine if there is a need for intervention techniques.
 - 3. The supervisor conducting the review will prepare a written summary and forward it to the Bureau Chief through the chain of command within 15 days of an automatic trigger occurrence, or at the conclusion of a bi-annual review (July 15 /January 15).
 - a. The Special Report must contain the reasons for the review, summary of actions taken by the supervisor, and any recommendations.
 - b. Documentation relative to the EWS review will remain in the employee's incident file.
 - c. Generated documentation should be considered confidential in nature and dissemination controlled.

V. Employee Review and Intervention

- A. Supervisory Review: If the supervisor determines that a need exists for intervention in the employee's situation after examining the information gathered from the employee review process, he/she may order the initiation of appropriate corrective action(s), including but not limited to:
- 1. **MBGO-023 Coaching and Counseling.**
 - 2. Training, individual enhancement training, or remedial training to include but not be limited to, driving training, firearms training, judgmental shooting training, sensitivity training, diversity training, interpersonal communication training, defensive tactics training, etc.

Note: All training will be coordinated through the Training Unit by the referring supervisor or commander with notification to the Bureau Chief.

3. Peer support program referral in accordance with **MBGO-078 Peer Support**.
4. Medical/Psychological assistance and/or review.
5. Employee Assistance Program referral.
6. Referral to a confidential counseling or therapy program, alcohol, or drug abuse program, etc.

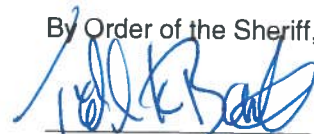
Note: Any referrals that result from #4, #5, and #6 where medical records are generated, will be maintained in filing cabinets within the Undersheriff's Office separate and apart from the employee's personnel files.

- B. Review, intervention, or corrective action is not a form of discipline and should not be used instead of disciplinary action when disciplinary action is appropriate.
- C. Early identification for employee intervention, when warranted, is a means to assist the employee as a career enhancement tool, focusing on strategies that will foster professional growth. Supervisors are still charged with employee development on a daily basis and EWS should be construed as another resource toward effective supervision.
- D. The command officer of the supervisor conducting a EWS review is responsible for monitoring and ensuring that the policy indicated herein is adhered to.
- E. Command review will be noted in employee's incident file as part of their review of each employee's performance and EWS evaluation on a biannual basis.

VI. Documentation

- A. The Bureau Chiefs will maintain an EWS file to ensure proper follow-up or resolution with employee review.
- B. An annual evaluation of the EWS will be completed to determine the effectiveness of the program agency wide. Written summations shall be submitted by all Bureau Chiefs to the Commander of Staff Services by January 31st and include recommendations for improvement and/or policy revision when appropriate. Input for preparation of the evaluation will incorporate comments and suggestions from the Bureau Chiefs prior to submission to the Sheriff and Undersheriff.
- C. The Staff Services Bureau will conduct a EWS evaluation during staff inspections to ensure policy compliance.

By Order of the Sheriff,


Todd K. Baxter