

	WOODBRIIDGE TOWNSHIP POLICE DEPARTMENT Policy & Procedures FITNESS FOR DUTY		
	Chapter: 322	Volume Three: The Personnel Structure	
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322.3

PERSONNEL EARLY WARNING SYSTEM

322.3.1

ESTABLISHMENT OF THE SYSTEM: The Personnel Early Warning System is established in order to identify employees who may experience a wide range of personal problems that can have a negative effect on their job performance and affect their fitness for duty. By identifying such personnel in the early stages of their trouble, a solution for their problem may be found before the matter escalates into a major dilemma. Employees who perform in a substandard manner not only place themselves at risk but also their fellow employees and the general public.

322.3.2

ADMINISTRATION OF THE PERSONNEL EARLY WARNING SYSTEM: The Personnel Early Warning system shall be administered by the Office of the Police Director/ Internal Affairs Unit. Supervisory officers in the employee's chain of command may also be involved in any early warning system review process.

322.3.3

TRACKING OF THE PERSONNEL EARLY WARNING SYSTEM: A tracking system shall be used to enable the department to identify employees who display the requisite performance indicators necessary to trigger the Personnel Early Warning System review process. On a semi-annual basis, the Office of the Police Director/Internal Affairs shall audit the tracking system and records to assess the accuracy and efficacy of the system.

322.3.4

PERFORMANCE INDICATORS: The following performance indicators shall be included in the Personnel Early Warning System. There may be instance in which supplemental performance indicators are included. The Police Director shall determine any such supplemental performance indicators. To the extent possible, supplemental performance indicators should be objectively measurable and reasonably related to potentially escalating harmful behavior by the employee.

- A. Internal Affairs complaints against the officer, whether initiated by the department, another officer or by a member of the public.
- B. Civil actions filed against the officer.
- C. Criminal Investigations or Criminal Complaints against the employee
- D. Any use of force by the officer that is formally determined or adjudicated (for example by internal affair or a grand jury) to have been excessive, unjustified or unreasonable.
- E. Domestic Violence investigations in which the employee is an alleged subject.
- F. An arrest of the employee, including a driving under the influence charge.
- G. Sexual Harassment claims against the employee.
- H. Vehicular collisions involving the employee that have been formally determined to have been the fault of the employee.
- I. A positive drug test by the employee.
- J. Cases or arrests by an officer that are rejected or dismissed by a court.
- K. Insubordination by the employee.
- L. Neglect of duty by the employee.
- M. Unexcused absences by the employee.
- N. Other Attendance Issues
- O. Peer Reports
- P. Supervisory Reports
- Q. Performance Evaluations
- R. Deteriorated Work Product
- S. Any other indicators, as determined by the Police Director.

322.3.5

INITIATION OF THE PERSONNEL EARLY WARNING SYSTEM: Three (3) separate instances of performance indicators within any twelve (12) month period shall trigger the Personnel Early Warning System review process. If one incident triggers multiple performance indicators, that incident shall not be double or triple counted, but instead shall count as only one performance indicator. The Police Director may in his/her discretion determine that a lower number of performance indicators within a twelve (12) month period shall trigger the Personnel Early Warning System review process. While none of the aforementioned indicators shall carry more weight than any other, any combination of the above may trigger a response by the Police Department. By using all of the above, the Personnel Early Warning System will show a chronic downtrend or a sudden drop in performance standards of an employee.

322.3.6

REMEDIAL/CORRECTIVE ACTION: Once an employee has displayed the requisite number of performance indicators necessary to trigger the Personnel Early Warning System, assigned supervisory personnel shall initiate remedial action to address the employees behavior. When a Personnel Early Warning System review process is initiated, the personnel assigned to oversee the system should:

- A. Formally notify the subject employee. If system notification to the officer could jeopardize an ongoing criminal investigation, the County Prosecutor may in his/her discretion, permit delayed notification to the employee or delayed initiation of the system review process
- B. Conference with the subject employee and appropriate supervisory personnel. NOTE: Any statement made by the employee in connection with the
- C. Personnel Early Warning System review process may not be used against the employee in any disciplinary or other proceeding
- D. Develop and administer a remedial program. Remedial/Corrective Action may include but is not limited to the following:
 1. Training or re-training
 2. Counseling
 3. Intensive Supervision
 4. Fitness for Duty Examination
 5. Employee Assistance Program (EAP) referral
 6. Any other appropriate remedial or corrective action
- E. Continue to monitor the subject employee for at least three (3) months, or until the supervisor concludes that the employees behavior has been remediated (whichever is longer).
- F. Document and reports findings to the Office of the Police Director.

322.3.7

NOTIFICATION TO COUNTY PROSECUTOR: Upon initiation of the Personnel Early Warning System, the Police Director or his/her designee shall make a confidential written notification to the County Prosecutor or his/her designee of the identity of the subject employee, the nature of the triggering performance indicators, and the planned remedial program. Upon completion of the review process, the Police Director or his/her designee shall make a confidential written notification to the County Prosecutor or his/her designee of the outcome of the system review, including any remedial measures taken on behalf of the subject employee.

322.3.8

NOTIFICATION TO SUBSEQUENT LAW ENFORCEMENT EMPLOYER: If any employee who is or has been subject to an Early Warning System review process applies to or accepts employment at a different law enforcement agency than the one where he or she underwent the Early Warning System review process, it is the responsibility of the prior or current employing law enforcement agency to notify the subsequent employing law enforcement agency of the employee's Early Warning System review process history and outcomes. Upon request, the prior or current employing agency shall share the officer's Early Warning System review process files with the subsequent employing agency.

322.3.9

REPORTING REQUIREMENTS: Supervisory and peer reports shall not be minimized but rather held in the highest regard. In many cases, it is the first and second line supervisor or the employee's co-workers who become aware of personal problems that are causing the employee to perform his or her duties in a substandard manner. By promptly reporting the details through the chain of command, the Police Department can provide assistance to the troubled employee before the need for discipline arises.

322.3.10

ANNUAL EVALUATION: The Office of the Police Director shall conduct an annual review of the Personnel Early Warning System.

322.3.11

FORMAL EMPLOYEE ASSISTANCE: The names of any employees who have not performed up to their expected level shall be referred to their appropriate Division Commander for counseling and guidance. All counseling sessions should be memorialized in writing. Supervisors should refer to SOP 360 for supervisory roles in the program. Depending on the circumstances, the department may consider participation in an Employee Assistance Program as a mitigating factor in the penalty level of a disciplinary action, but utilization or participation in an Employee

Assistance Program will not preclude or be a defense to any disciplinary action or proceeding. The following are considered to be the preferred methods of assistance:

- A. Woodbridge Township Employee Assistance Program is a strictly confidential program offered by the Township that provides assistance to employees and their family members with financial, alcohol, marital or family problems. A counselor can be reached by calling 1-908-851-9511 or 1-877-203-2273.
- B. Law Enforcement Officer Crisis Intervention Hot Line is a similar confidential service operated by the State of New Jersey on a 24-hour basis. A counselor can be reached by calling 1-866-267-2267.
- C. A Police Psychologist is available if the first two methods fail or the employee does not or prefers not to take advantage of them. In some cases, an employee may be ordered to see the police psychologist in order to insure that the employee can return to full duty and be a productive worker. In these cases, a report by the psychologist will be forwarded to the Police Director for his review in order to help determine the status of the employee.

322.3.12

SUPERVISOR TRAINING: All supervisors have a responsibility to monitor and assist any employee that exhibits problems as outlined in the Personnel Early Warning System Components. All newly appointed supervisors will receive Employee Assistance Program training that enables the supervisor to better identify any problems and react to them.

322.3.13

PUBLIC ACCESSIBILITY AND CONFIDENTIALITY: All Early Warning System policies adopted by the Woodbridge Township Police Department shall be made available to the public upon request and shall be posted on the Township's Police Department website. All written reports created or submitted pursuant to this policy that identify specific officers are confidential and not subject to public disclosure.