

**Effective 5/13/2014**

**17-30a-308 Vacancies -- Positions requiring special qualifications -- Competition suspended -- Promotion -- Promotional register.**

- (1) In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional, or expert character, and upon satisfactory evidence that competition is impracticable and the position can best be filled by the selection of some designated person of recognized attainments, the commission may, after a public hearing and by unanimous vote, suspend competition regarding that position.
- (2) The commission shall report a suspension under Subsection (1) in the commission minutes, together with the reason for suspension.
- (3) With the exception of an appointment made in accordance with a commission rule adopted under Subsection 17-30a-203(1)(b)(i)(H), a department shall fill a supervisor vacancy in the merit system classification by promotion insofar as possible.
- (4)
  - (a) A department shall make a promotion only after an open competitive examination, admission to which shall be limited to merit system officers.
  - (b) An examination process described in Subsection (4)(a) shall include consideration of the seniority and competence of the peace officer to perform the duties required in the position for which application is made.
  - (c) The seniority element of the examination may not exceed 40% of the entire examination score.
- (5)
  - (a) After a promotional examination, the commission shall prepare a promotional register that shall take precedence over any previously existing register.
  - (b) The certified promotional register shall consist of three names for the initial vacancy and one more name for each additional vacancy, ranked in the order of the examination score, beginning with the highest scoring applicant.

Enacted by Chapter 366, 2014 General Session