



COBA
DELEGATE
SEMINAR

AUGUST
24th - 27th



PERSONNEL DETERMINATION REVIEW (PDR)

Presentation by
Angel Castro I 2nd Vice President
Kamaal Moore I Treasurer

III DEFINITION

Day for Day: An extension of probation includes, in addition to the fixed three or six-month extension period, the number of days the probationer has been absent and/or has not entirely performed the duties of his or her position, both during the original probationary period.

III EXTENSION OF PROBATION

Extension of Probation: A fixed extension period for the probationary period of a newly hired employee or recently promoted service member. Extensions of probation can be either three or six-month periods.

III DEMOTION

Demotion: reassigning a staff member to a formerly held title for which he or she has completed the probationary period.

PERSONNEL DETERMINATION REVIEW (PDR) REQUEST

Personnel Determination Review (PDR) Request: a memo detailing why a newly hired or recently promoted probationary employee should be reviewed by the Commissioner or the Commissioner's designee for an extension of Probation, Demotion, or Termination.

III SUPPORTING DOCUMENTATION

Supporting Documentation: Documentation that may be included along with a PDR request. Depending on the type of PDR Request, this could include the subject employee's 22R, attendance record, performance evaluations, and/or prior PDR requests related to the employee.

TERMINATION

Termination: A staff member's dismissal from employment with the Department.

||| WHO SUBMITS THE PDR REQUEST?

Commanding Officers/Heads of Facilities/Divisions may submit PDR requests along with any supporting documentation, to the Human Resources Division (HR).

III NON-USE OF FORCE PDR REQUEST

- Non-Use of Force PDR Requests for Non-Uniform Personnel shall reflect a recommendation for Extension of Probation, Demotions, or Termination.
- Non-Use of Force Request for Uniform Personnel submitted by the Deputy Commissioner of the Investigation & Trials Division shall reflect a recommendation for Extension of Probation by three or six months, Demotion, or Termination.
- Non-Use of Force Request for Uniform Personnel submitted by the Commanding Officers/Heads of Facilities/Divisions **shall NOT reflect a recommendation but shall simply request a review by the Commissioner or Commissioners designee.**

III USE OF FORCE PDR REQUEST FOR UNIFORM AND NON-UNIFORM PERSONNEL

- PDR request submitted by the Deputy Commissioner of the Investigations & Trials Division shall reflect a recommendation for the Extension of Probation by three or six months, Demotion, or Termination.
- PDR requests submitted by the Commanding Officers/heads of Facilities/Division shall not reflect a recommendation but shall request a review by the Commissioner or Commissioner's designee. In this circumstance, the Commissioner or Commissioner's designee will confer with the Investigations & Trials Division to make a determination of Extension of Probation by three or six months, Demotion, or Termination.
***The conferral process will be documented to include the individuals involved in the process and their recommended course of action.**

III WHAT ARE THE DEADLINES FOR SUBMITTING A PDR REQUEST?

PDR request shall be submitted to HR immediately following a conclusion that a probationary employee engaged in an incident of misconduct, such as inappropriate Use of Force, or a pattern of conduct, such as excessive unexcused absence, warranting an Extension of Probation, Demotions, or Termination.

III DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES (DCAS) RULES

- PDR request for an Extension of Probation shall be submitted to HR no less than **45 days prior** to the staff members' estimated tenure date.
- PDR Request for Termination or Demotion may be submitted **before** the staff member's estimated tenure date.

III PROCESSING PDR REQUEST THROUGH HUMAN RESOURCES

Upon receipt, HR shall forward all PDR request to the Commissioner or Commissioner's Designee and simultaneously begin the process of calculating the actual tenure date based on the number of days the probationer has been absent and/or has not fully performed the duties of his of her position. Once the actual tenure date is obtained, it shall be immediately updated in the PDR tracker maintained by HR.

III WHO TRACKS ALL PDR REQUESTS?

- HR shall track all PDR request, including the date it is received by HR through the date of final determination by the Commissioner or Commissioner's Designee, as well as the date of completion.
- * In the case of Use Of Force PDR Request, the process from the date HR receives the PDR request to the date of the final determination by the Commissioner or Commissioner Designee shall not exceed 30 days.

III PROCESSING AN EXTENSION OF PROBATION

- Where the final determination is an Extension of Probation, HR shall prepare a memo setting for the term of the extension of probation and forward the memo to the staff members assigned command/facility to secure the staff members signed agreement to the extension.
- The Command/Facility must return the signed copy by the staff member to HR, and maintain a copy in the staff members' institutional folder.
- HR shall then send the signed memo to the Department of Citywide Administrative Services (DCAS) for processing.
- The date of completion shall be the date HR receives the signed agreement back from DCAS.



III PROCESSING A DEMOTION OF TERMINATION

- Where the final determination is Demotion or Termination. HR shall prepare a notice of the Demotion or Termination and forward the notice to the staff member.
- Following service on the staff member, the facility/command must return a copy to HR, and maintain a copy in the staff member's institutional folder.
- The date of completion shall be the date of the staff member's demotion or termination.
- HR shall maintain all relevant PDR documentation in a consistent and reliable manner in the staff members PDR file in the HR Records Management Office.

III FINAL DETERMINATION OF PDR REQUESTS BY THE COMMISSIONER OR COMMISSIONER'S DESIGNEE CONT.

- The Commissioner or Commissioners designee shall receive the completed PDR documentation for HR to make a final determination.
- The **FINAL** determination may include tenure, no action, deferred decision, extension of probation (day for day only, day for day plus three months, day for day plus six months), demotion, or termination.
- The final determination may also include training, re-training, counseling, or referral to the Department Early Intervention, Support, and Supervision unit.

III FINAL DETERMINATION OF PDR REQUESTS BY THE COMMISSIONER OR COMMISSIONER'S DESIGNEE CONT.

- In certain circumstances when the Commissioner has assigned a designee and that designee has made a determination of a Use of Force PDR request that deviates from the recommendation by the Deputy Commissioner of the Investigation Unit & Trials Division the Commissioner shall personally review and reach a final determination. This only applies where the Commissioner's designee makes a determination of...

III FINAL DETERMINATION OF PDR REQUESTS BY THE COMMISSIONER OR COMMISSIONER'S DESIGNEE CONT.

- “No Action” rather than the recommended demotion, termination, or extension of probation; or
- Extension of probation rather than the recommended demotion or termination.

Under all other circumstances, when the Commissioner has assigned a designee, the Commissioner's designee's final determination shall stand.

ATTACHMENT - A FOR HUMAN RESOURCES USE ONLY (PDR)

ATTACHMENT - A FOR HUMAN RESOURCES USE ONLY NEW YORK CITY DEPARTMENT OF CORRECTION PERSONNEL DETERMINATION REVIEW

ITEM NO: PDR/DR00

EMPLOYEE NAME: John Henry	ORIG. PROB ENDS: 08/13/17	SUBMITTED BY: Jane Doe
APPT. DATE: 08/14/15	08/13/17	WARDEN
SHIELD/ID NO: XXXX	*AUTOMATIC DFD EXTENSION ENDS APPROX. JULY 00, 20XX	G.R.V.C.
C.S. STATUS: Probationary Correction Officer		RECOMMENDATION: DETERMINATION REVIEW
		FACILITY/DIVISION: G.R.V.C.

REQUEST/RECOMMENDATION: DETERMINATION REVIEW

REASON FOR REFERRAL: Submitted herein is a request for a determination review on the probation of Correction Officer John Henry, shield #XXXX, due to his attendance and punctuality record.

MMR DATES
NONE

PROBATIONARY/PERFORMANCE RATINGS:

3RD EVALUATION: 3.00 / 3.00 / 3.00

ATTENDANCE RECORD: SINCE - 8/14/2015			6 Occasion(s) Sick = 6 days		
DATES	# OF DAYS	REASON	DATES	# OF DAYS	REASON
05/24/18	1	General Symptoms	10/14/18	1	General Symptoms
07/01/18	1	Gastrointestinal	12/13/18	1	General Symptoms
09/27/18	1	General Symptoms	12/21/18	1	General Symptoms
PUNCTUALITY RECORD: SINCE - 8/14/2015			10 Occasion(s) Late = 7:37 hh:mm		
DATES	HRS/MINS	REASON	DATES	HRS/MINS	REASON
09/08/17	0:05	Unknown	05/20/18	0:39	Unknown
11/06/17	0:45	Unknown	06/18/18	1:20	Unknown
01/30/18	1:20	Unknown	06/24/18	0:20	Unknown
04/05/18	2:00	Unknown	07/29/18	0:25	Unknown
05/12/18	0:15	Unknown	08/02/18	0:28	Unknown

DISCIPLINARY RECORD: SINCE - 8/14/2015			COMMENTS		
DATES	ACTION	REASON			
NONE					

*Automatic Day for day count derived from S/L (6 days), DIF (4 days) & A/L (8 days) for a total of 18 days.

EID# 0000001

FIRST DEPUTY COMMISSIONER'S FINAL DETERMINATION:

TENURE:	DATE	EXTENSION OF PROBATION:
FIRST DEPUTY COMMISSIONER	DATE	DAY FOR DAY EXTENSION ONLY: FIRST DEPUTY COMMISSIONER DATE
NO ACTION:	DATE	DAY FOR DAY + 3 MONTHS: FIRST DEPUTY COMMISSIONER DATE
DEFERRED DECISION:	DATE	DAY FOR DAY + 6 MONTHS: FIRST DEPUTY COMMISSIONER DATE
	DATE	TERMINATION: FIRST DEPUTY COMMISSIONER DATE
☐ DECISION AFFIRMED	DATE	
☐ DECISION NOT AFFIRMED	COMMISSIONER	

COMMENTS:

