

**MEETING AGENDA
July 29, 2024**

**4th Floor Mayor's
Conference Room**

City/County Office Building

9:00 AM

The Bismarck Civil Service Commission is scheduled to meet on Monday, July 29, 2024, at 9:00 AM in the 4th Floor Mayor's Conference Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

CALL TO ORDER

ROLL CALL

AGENDA

- A. Approval of Meeting Minutes
- B. City of Bismarck Civil Service Information

ADJOURN



Civil Service Commission Meeting

12/15/2023 - Minutes

Leanne Schmidt, HR Director, called the meeting to order for Chair Roger Krueger at 11:00 A.M.

Chair Roger Krueger was present in person at the Mayor's Conference room in the City/County Building in Bismarck. Jason Sutheimer and Nicole Ralph were present via Microsoft Teams.

Others in attendance:

Jannelle Combs, City Attorney

Leanne Schmidt, HR Director

February 17, 2023, Commissioner Sutheimer moved, and Commissioner Ralph seconded minutes approved unanimously from the Kelly Buckles appeal decision.

The proposed changes to City Personnel laws in Ordinance 6567 were discussed. The commission agreed with the updates proposed draft from the 12/12/2023 City Commission meeting.

Commission members were provided several draft options for language for the Bismarck City Commission to retain hiring and termination for department directors which were discussed.

Commissioner Ralph moved and Commissioner Sutheimer seconded that Ordinance 6567 of the Civil Service Commission should be approved as presented, but if the Commission wanted supervision of department directors, they should decide as follows:

Either provide the City Administrator with full authority for hiring and termination and all usual and ordinary supervisory responsibilities in between or the 11 department directors should be removed from civil service and have employment contracts reporting directly to the Board of City Commission. Roll call was taken, and motion passed unanimously.

Chair Krueger will attend the City Commission meeting 12/26/2023 to be available to answer questions regarding the commission's recommendation.

There being no further business to discuss the civil service commission meeting adjourned at 12:03 P.M.

CITY OF BISMARCK

Acknowledgement of Policies

(Full-Time)

Employee Name: Tyler Nord

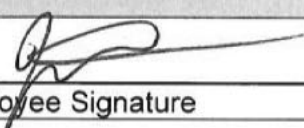
Employee Number: [REDACTED]

Title: Police Officer

First Check Date: 9/2/2022

Orientation Date: 8/15/2022

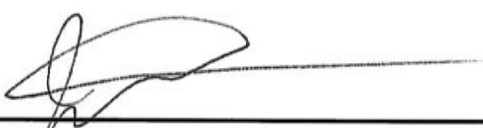
I verify that I have received a copy of the following policies and notices informing me of the City of Bismarck policies and my rights and obligations under these policies.

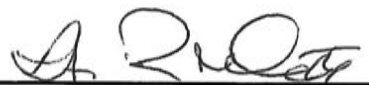
Initial	Policy
TN	Discrimination and Harassment Policy.
TN	Substance Abuse Screening Policy.
TN	Use of Electronic Device While Driving Policy.
TN	Computer Use and Electronic Communications Policy.
TN	Workplace Violence Policy.
TN	Smoking Policy.
TN	Probation Policy.
TN	Performance Management Policy
TN	Principles of Ethical Conduct.
TN	Affordable Care Act Notice.
TN	I have been made aware of how to access the policy manual online, that includes these and all of the policies. I will review the policies in their entirety in my first week of employment.
TN	Change of Personal Status (notice of name change, marriage, divorce, birth or adoption of a child or grandchild to be covered, etc.) must notify HR within 30 days of the event.
TN	General Notice of COBRA Continuation Coverage Rights.
8/15/2022	
Date	Employee Signature

BISMARCK POLICE DEPARTMENT	General Order 2601
CODE OF CONDUCT DISCIPLINE PROCESS EMPLOYEE MISCONDUCT	
	Revision Date: 02-26-2019
	CALEA STANDARDS 22.1.8, 22.2.4, 26.1.1, 26.1.3-26.1.8, 41.3.4, 26.3.5 & 26.3.7-26.3.8

I have been briefed on the above listed General Order regarding the Bismarck Police Department Code of Conduct, Discipline Process and Employee Misconduct. This included special emphasis on harassment and sexual harassment. I have been provided a hard copy for reference.

Date: 3/22/2022


Recruit Officer/New Civilian Employee Signature


BPD Representative Providing the Training

33) **Associations and recommendations** – Employees shall avoid regular or continuous associations or dealings with persons under criminal investigation or indictment, or who have a reputation in the community or department for involvement, past or present, in felonies or criminal behavior, except as necessary for the performance of their official duties, or where unavoidable because of personal relationships. Nor shall employees, while on duty, recommend to subjects who have been arrested or under investigation, any professional services such as attorneys, bondsmen, detectives, or physicians.

34) **Outside employment** – Employees may engage in outside employment subject to the following limitations:

- a) Such employment shall not interfere with the employee's departmental duties.
- b) Employees shall not engage in employment or business such as bail-bond agents, private investigators, bartenders, or collection work.

Rev 1/2007

- c) Permission to engage in outside employment must be granted prior to engaging in such employment. The department does not allow sworn personnel to be engaged in any secondary employment involving the actual or potential use of law enforcement authority. This does not include those assignments the department considers as "extra-duty" assignments, those are covered in General Order 2201 Section 26. **Rev. 1/2016**

- d) All employees requesting to engage in outside employment shall submit a written request to the Chief of Police utilizing the BPD Personnel Input form (BPD Form 208). The request must explain in detail the type of work, hours to be worked, and the employer. The BPD Outside Employment Verification form (BPD form 212) will be attached to the Personnel Input Form. The Outside Employment Verification form will be completed by the outside employer, indicating agreement to the following provisions: **Rev. 1/2016**

- (1) The employer will provide all equipment necessary for the employee to perform their duties. Without prior approval, no property or equipment owned by, under the control of, or issued by the Bismarck Police Department will be used in association with the outside employment;
- (2) The outside employer will release the employee from their duties or obligations if the employee is needed to report back to the Police Department under any circumstances;
- (3) The outside employer will comply with the Federal Fair Labor Standards Act, and provide Worker's Compensation coverage to the employee while they perform their outside employment duties; and,
- (4) If the employment involves the use of, or potential use of, police powers, the letter must also indicate the outside employer will hold the Bismarck Police Department harmless to all civil and criminal liability for the actions of the employee during the course of their outside employment duties.

- e) Approval may be denied or revoked if it appears that outside employment may/is:

- (1) Physically or mentally exhausting the employee to the point that their performance is affected,
- (2) Require any special consideration be given to scheduling of employee's work hours,
- (3) Bring the department under criticism, embarrassment or disrepute,
- (4) Impair the operation or efficiency of the department or, conflict with the employee's present duties.

- f) Employees may be required to reapply for outside employment annually.

- g) When an employee's outside employment status changes they shall notify the

Administrative Services Lieutenant. The Administrative Services Lieutenant shall maintain a list of all employees engaged in outside employment. This list will include the employee's name; date hired by the outside employer, the outside employer's name, and a general description of duties. At least annually the Administrative Services Lieutenant shall review each instance of outside employment by contacting the employee and/or employer, to ensure that the employer, hours of employment, and the nature of the work has not changed. The Administrative Services Lieutenant shall annually complete a written report regarding the status of employee's outside employment. **Rev. 1/2016**

- h) Employees engaged in outside employment shall follow all policies and procedures of the Bismarck Police Department that are applicable when off-duty. Employees engaged in outside employment shall not use the authority of their position at the Bismarck Police Department to take law enforcement action, but rather must only use the authority granted them by their outside employer. General Order 103 Section 26 covers off duty police actions. Employees will not conduct business associated with outside employment while on duty. **Rev. 1/2016**

35) **Political Activity** – employees shall not engage in political activities as defined in N.D.C.C. Section 39-01-04 while on duty.

36) **Personal appearance** – Information regarding the wearing of uniforms can be found in General Order 4100. All officers, while on duty and unless their assignment dictates otherwise, must be clean shaven, well-groomed and clean in person. Clothes and footwear must be clean and properly cared for. If a question arises regarding the appropriateness of an employee's attire, the questioning employee's immediate supervisor shall be contacted. Officers and employees while on duty, must conform to the following guidelines:

Rev. 10/2016

- a) **Male officers** – Hair must be clean, neat and combed. Hair shall not be longer than the top of the shirt collar at the back of the neck, when standing with the head in a normal position. Hair may be blocked or styled at the back but the bulk shall not exceed one inch. Hair may not extend over the top of the ear. **Rev. 10/2016**

The bulk or length of the hair shall not interfere with the wearing of standard head gear. Wigs and hair pieces are permitted if they conform to the above standards.

Sideburns may extend to the bottom of the ear lobe, and must be neat and rectangular in shape. A mustache of natural color may be worn. Mustaches shall not extend below the corner of the mouth or extend horizontally more than one-half inch from the corners of the mouth. Mustache hair must not exceed three-quarters of an inch in length and will not extend more than one-quarter of an inch below the vermilion border of the upper lip. Manchu or handlebar mustaches are prohibited. Beards may not be worn unless authorized by the Chief of Police for special occasions. The wearing of jewelry is allowed if it conforms to the following: A necklace or chain is allowable as long it is not distracting or constitutes a safety concern. A wristwatch should be worn by all personnel. Rings can be worn by personnel as long as they are not distracting or interfere with the normal performance of duty, or they do not constitute a weapon. Male officers while on duty, unless specifically authorized, will not wear earrings. Gauged ears, tongue and facial piercings are not allowed while on duty. Fingernails will be trimmed and clean. Fingernail polish and makeup will not be worn unless directed to do so by a physician for health reasons.

Rev. 4/2018

- b) **Female officers** – Hair shall not be longer than the bottom of the shirt collar at the back of the neck when standing with the head in a normal position, unless hair is pulled back into a ponytail and off of the neck, in which case it will be no longer than

break. The exception is if their duties or assignments require them to be outside the city limits. **Rev. 11/2015**

- 32) **Refusals to work** – Employees are prohibited from planning or engaging in a strike, work stoppage or slow down.
- 33) **Associations and recommendations** – Employees shall avoid regular or continuous associations or dealings with persons under criminal investigation or indictment, or who have a reputation in the community or department for involvement, past or present, in felonies or criminal behavior, except as necessary for the performance of their official duties, or where unavoidable because of personal relationships. Nor shall employees, while on duty, recommend to subjects who have been arrested or under investigation, any professional services such as attorneys, bondsmen, detectives, or physicians.
- 34) **Outside employment** – Employees may engage in outside employment subject to the following limitations:
- a) Such employment shall not interfere with the employee's departmental duties.
 - b) The department does not allow sworn personnel to be engaged in any secondary employment involving the actual or potential use of law enforcement authority, such as but not limited to, bail bonds agents, private investigators, repossessions, or collection work etc. **Rev 02/2024**
 - c) Permission to engage in outside employment must be granted prior to engaging in such employment. The department does not allow sworn personnel to be engaged in any secondary employment involving the actual or potential use of law enforcement authority. This does not include those assignments the department considers as "extra-duty" assignments, those are covered in General Order 2201 Section 26. **Rev. 01/2016**
 - d) All employees requesting to engage in outside employment shall submit a written request to the Chief of Police utilizing the BPD Personnel Input form (BPD Form 208). The request must explain in detail the type of work, hours to be worked, and the employer. The BPD Outside Employment Verification form (BPD form 212) will be attached to the Personnel Input Form. The Outside Employment Verification form will be completed by the outside employer, indicating agreement to the following provisions: **Rev. 01/2016**
 - (1) The employer will provide all equipment necessary for the employee to perform their duties. Without prior approval, no property or equipment owned by, under the control of, or issued by the Bismarck Police Department will be used in association with the outside employment;
 - (2) The outside employer will release the employee from their duties or obligations if the employee is needed to report back to the Police Department under any circumstances.
 - (3) The outside employer will comply with the Federal Fair Labor Standards Act, and provide Worker's Compensation coverage to the employee while they perform their outside employment duties.
 - (4) If the employment involves the use of, or potential use of, police powers, the letter must also indicate the outside employer will hold the Bismarck Police Department harmless to all civil and criminal liability for the actions of the employee during the course of their outside employment duties.

- e) Approval may be denied or revoked if it appears that outside employment may/is:
 - (1) Physically or mentally exhausting the employee to the point that their performance is affected,
 - (2) Require any special consideration be given to scheduling of employee's work hours,
 - (3) Bring the department under criticism, embarrassment, disrepute, or where there is a conflict of interest or an appearance of a conflict of interest. **Rev. 02/2024**
 - (4) Interfere with the employee's departmental duties, functions, or responsibilities of either the employee or police department. **Rev. 02/2024**
 - (5) Potentially discredit the Bismarck Police Department or otherwise undermine the public trust and confidence of law enforcement or the legal system or anything not consistent with the Department and the City's policies and ethics. **Rev. 02/2024**
 - f) Employees may be required to reapply for outside employment annually.
 - g) When an employee's outside employment status changes they shall notify the Administrative Services Lieutenant. The Administrative Services Lieutenant shall maintain a list of all employees engaged in outside employment. This list will include the employee's name; date hired by the outside employer, the outside employer's name, and a general description of duties. At least annually the Administrative Services Lieutenant shall review each instance of outside employment by contacting the employee and/or employer, to ensure that the employer, hours of employment, and the nature of the work has not changed. The Administrative Services Lieutenant shall annually complete a written report regarding the status of employee's outside employment. **Rev. 01/2016**
 - h) Employees engaged in outside employment shall follow all policies and procedures of the Bismarck Police Department that are applicable when off-duty. Employees engaged in outside employment shall not use the authority of their position at the Bismarck Police Department to take law enforcement action, but rather must only use the authority granted them by their outside employer. General Order 103 Section 26 covers off duty police actions. Employees will not conduct business associated with outside employment while on duty. **Rev. 01/2016**
 - i) The Chief or their designee is the final authority on approval or denial. **Rev. 02/2024**
- 35) **Political Activity** – employees shall not engage in political activities as defined in N.D.C.C. Section 39-01-04 while on duty.
- 36) **Personal Appearance** – Information regarding the wearing of uniforms can be found in General Order 4100. All officers, while on duty and unless their assignment dictates otherwise, must be clean shaven, well groomed and clean in person. Clothes and footwear must be clean and properly cared for. If a question arises regarding the appropriateness of an employee's attire, the questioning employee's immediate supervisor shall be contacted. Officers and employees while on duty, must conform to the following guidelines:
Rev. 10/2016

39-21-39. Windshield - Must be unobstructed and equipped with wipers - Tinted windows.

1. A motor vehicle must be equipped with a windshield. An individual may not drive any motor vehicle with any sign, poster, or other nontransparent material upon the front windshield, side wings, or side or rear windows which obstructs the driver's clear view of the highway or any intersecting highway.
2. The windshield on a motor vehicle must be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which must be constructed as to be controlled or operated by the driver of the vehicle.
3. The windshield wiper upon a motor vehicle must be maintained in good working order.
4. An individual may not operate a motor vehicle with any object, material, or tinting displayed, affixed, or applied on the front windshield or any window unless the object, material, or tinting in conjunction with the windshield upon which it is displayed, affixed, or applied has a light transmittance of at least seventy percent or the object, material, or tinting in conjunction with a window other than the windshield upon which it is displayed, affixed, or applied has a light transmittance of at least fifty percent. This subsection does not apply to windows behind the operator if the motor vehicle is equipped with outside mirrors on both sides that meet the requirements of section 39-21-38.
5. Subsection 4 does not apply to nonreflective sunscreening or window tinting material above the AS-1 line or within the top five inches [12.7 centimeters] of the windshield.

169.71 WINDSHIELD.

Subdivision 1. **Prohibitions generally; exceptions.** (a) A person shall not drive or operate any motor vehicle with:

- (1) a windshield cracked or discolored to an extent to limit or obstruct proper vision;
 - (2) any objects suspended between the driver and the windshield, other than:
 - (i) sun visors;
 - (ii) rearview mirrors;
 - (iii) driver feedback and safety monitoring equipment when mounted immediately behind, slightly above, or slightly below the rearview mirror;
 - (iv) global positioning systems or navigation systems when mounted or located near the bottommost portion of the windshield;
 - (v) electronic toll collection devices; and
 - (vi) an identifying device as provided in section 169.58, subdivision 5, when the device is mounted or located near the bottommost portion of the windshield; or
 - (3) any sign, poster, or other nontransparent material upon the front windshield, sidewings, or side or rear windows of the vehicle, other than a certificate or other paper required to be so displayed by law or authorized by the state director of the Division of Emergency Management or the commissioner of public safety.
- (b) Paragraph (a), clauses (2) and (3), do not apply to law enforcement vehicles.
- (c) Paragraph (a), clause (2), does not apply to authorized emergency vehicles.

Subd. 2. **Windshield wiper.** The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

Subd. 3. **Defrosting requirement.** No person shall drive any motor vehicle with the windshield or front side windows covered with steam or frost to such an extent as to prevent proper vision.

Subd. 4. **Glazing material; prohibitions.** A person must not drive or operate any motor vehicle required to be registered in the state of Minnesota upon any street or highway under the following conditions:

- (1) when the windshield is composed of, covered by, or treated with any material which has the effect of making the windshield more reflective or in any other way reducing light transmittance through the windshield;
- (2) when any window on the vehicle is composed of, covered by, or treated with any material that has a highly reflective or mirrored appearance;
- (3) when any side window or rear window is composed of or treated with any material so as to obstruct or substantially reduce the driver's clear view through the window or has a light transmittance of less than 50 percent plus or minus three percent in the visible light range or a luminous reflectance of more than 20 percent plus or minus three percent; or

(4) when any material has been applied after August 1, 1985, to any motor vehicle window without an accompanying permanent marking which indicates the percent of transmittance and the percent of reflectance afforded by the material. The marking must be in a manner so as not to obscure vision and be readable when installed on the vehicle.

Subd. 4a. **Glazing material; exceptions.** (a) Subdivision 4 does not apply to glazing materials that:

(1) have not been modified since the original installation, nor to original replacement windows and windshields, that were originally installed or replaced in conformity with Federal Motor Vehicle Safety Standard 205;

(2) are required to satisfy prescription or medical needs, provided:

(i) the vehicle's driver or a passenger possesses a prescription or a physician's statement of medical need;

(ii) the prescription or statement specifically states the minimum percentage that light transmittance may be reduced to satisfy the prescription or medical needs of the patient; and

(iii) the prescription or statement contains an expiration date, which must be no more than two years after the date the prescription or statement was issued; or

(3) are applied to:

(i) the rear windows of a pickup truck as defined in section 168.002, subdivision 26;

(ii) the rear windows or the side windows on either side behind the driver's seat of a van as defined in section 168.002, subdivision 40;

(iii) the side and rear windows of a vehicle used to transport human remains by a funeral establishment holding a license under section 149A.50;

(iv) the side and rear windows of a limousine as defined in section 168.002, subdivision 15; or

(v) the rear and side windows of a police vehicle.

(b) For the purposes of paragraph (a), clause (2), a driver of a vehicle may rely on a prescription or physician's statement of medical need issued to a person not present in the vehicle if:

(1) the prescription or physician's statement of medical need is issued to (i) the driver's parent, child, grandparent, grandchild, sibling, or spouse, or (ii) a person for whom the driver is a personal care attendant;

(2) the prescription or physician's statement of medical need specifies the make, model, and license plate of one or two vehicles that will have tinted windows; and

(3) the driver is in possession of the prescription or physician's statement of medical need.

Subd. 5. **Glazing material; prohibitions on sale.** (a) No person shall sell or offer for sale or use on any motor vehicle, windows or windshields that are composed of, covered by, or treated with material that fails to comply with the provisions of subdivision 4. No person shall apply or offer to apply, as part of a business transaction, material to motor vehicle windows or windshields that fails to comply with the provisions of subdivision 4.

(b) Violation of this subdivision is a misdemeanor.

(c) This subdivision does not apply to sale or offers for sale of a motor vehicle containing windows or windshields composed of, covered by, or treated with material that fails to comply with the provisions of subdivision 4.

History: (2720-260) 1937 c 464 s 110; 1939 c 430 s 21; 1947 c 428 s 30; 1953 c 745 s 4; 1959 c 174 s 1; 1959 c 521 s 11; 1961 c 34 s 1; 1971 c 491 s 26; 1974 c 428 s 5; 1983 c 234 s 1; 1987 c 71 s 2; 1988 c 636 s 10; 1991 c 301 s 7; 1993 c 26 s 10; 1997 c 215 s 44; 2005 c 136 art 8 s 2; 2008 c 186 s 1; 2008 c 235 s 2; 2009 c 59 art 5 s 5; 2010 c 304 s 1; 2010 c 351 s 32; 1Sp2019 c 3 art 3 s 59-61

12-14-01. Equipment of Vehicles Other than Motorcycles.

The provisions of NDCC Chapter 39-21 and ND Admin Code Chapter 37-12 and all subsequent amendments are hereby incorporated by reference in this ordinance. Any violation of those requirements relating to equipment of motor vehicles shall constitute a violation of this ordinance and is prohibited.

Reference: Chapter 39-21, NDCC (1985 Supp.) and Chapter 37-12, ND Admin Code.
(Ord. 6576, 05-18-24)

Bismarck

DOB

pending in NW

[REDACTED]	Employee No.
175163009	Position No.
[REDACTED]	Kronos

CITY OF BISMARCK
Civil Service Commission
Personnel Action

APPROVED

by Human Resources 8-11-22
by Bd. of City Comm 8-23-22

ed when a Department Head takes any personnel action. The Department Head is to
this form and send the original to the Human Resources Department. The personnel action will be
processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: Police (RM)
Emp. Name: Tyler Nord	Position: Police Officer
Supervisor: Lt Michael McMerty	

G/L Acct #: 100-175-147-4110-000	Grade: 17
Project Number:	Workers Comp. Code: 7720

Copy as example in Kronos:	Dana Ritzke
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Reason for Personnel Action	Effective Date: 8-15-2022	HR Use Only	
☒ New Employee	☐ Employee Separation	Alpha ☒	EOP ☒
☐ G/L Change	☐ Salary Adjustment	P# ☒	R&R
☐ Salary Increase	☐ Retirement	IT ☒	ATR
☐ Transfer	☐ Probationary to Regular	NHG ☒	SG
☐ Promotion	☐ Change of Supervisor	Drug ☒	CS
☐ Demotion*	☐ Other	Orientation	

Reason: Add to DC Stugelmeyer, Lt McMerty and Sgt Wardzinski's kronos

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☒ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary: \$64,000.00 <u>30.77</u>

Complete for Employee Separation		
☐ Quit	☐ Retired	☐ Terminated
Reason for Termination (If Applicable):		

Department Head/Date: Steve [Signature] 8/11/22
Revision Date: 12/15

Bismarck

	Employee No.
175163009	Position No.
	Kronos

CITY OF BISMARCK

Civil Service Commission

Personnel Action

The following is to be prepared when a Department Head takes any personnel action. The Department Head is to keep a copy of this form and send the original to the Human Resources Department. The personnel action will be processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: Police (RM)
Emp. Name: Tyler Nord	Position: Police Officer
Supervisor: Lt Michael McMerty	

G/L Acct #: 100-175-147-4110-000	Grade: 17
Project Number:	Workers Comp. Code: 7720

Copy as example in Kronos:	Dana Ritzke
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Reason for Personnel Action	Effective Date: 8-15-2022	HR Use Only	
☒ New Employee	☐ Employee Separation	Alpha	EOP
☐ G/L Change	☐ Salary Adjustment	P#	R&R
☐ Salary Increase	☐ Retirement	IT	ATR
☐ Transfer	☐ Probationary to Regular	NHG	SG
☐ Promotion	☐ Change of Supervisor	Drug	CS
☐ Demotion*	☐ Other	Orientation	

Reason: Add to DC Stugelmeyer, Lt McMerty and Sgt Wardzinski's kronos

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☒ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary: \$64,000.00

Complete for Employee Separation		
☐ Quit	☐ Retired	☐ Terminated
Reason for Termination (If Applicable):		

Department Head/Date: David [Signature] 8/11/22
Revision Date: 12/15

Bismarck

	Employee No.
175163009	Position No.
	Kronos

CITY OF BISMARCK

Civil Service Commission

Personnel Action

The following is to be prepared when a Department Head takes any personnel action. The Department Head is to keep a copy of this form and send the original to the Human Resources Department. The personnel action will be processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: POLICE
Emp. Name: TYLER NORD	Position: POLICE OFFICER
Supervisor: LT. LUKE GARDINER	

G/L Acct #:	Grade:
Project Number:	Workers Comp. Code:

Copy as example in Kronos:	
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Reason for Personnel Action	Effective Date: 08/15/2023	HR Use Only	
☐ New Employee	☐ Employee Separation	Alpha	EOP
☐ G/L Change	☐ Salary Adjustment	P#	R&R
☐ Salary Increase	☐ Retirement	IT	ATR
☐ Transfer	☒ Probationary to Regular	NHG	SG
☐ Promotion	☐ Change of Supervisor	Drug	CS
☐ Demotion*	☐ Other	Orientation	

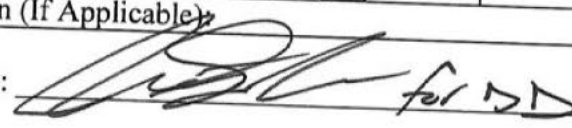
Reason: _____

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☐ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary:

Complete for Employee Separation		
☐ Quit	☐ Retired	☐ Terminated
Reason for Termination (If Applicable):		

Department Head/Date:  8/29/23
Revision Date: 12/15

NW TE
9/5/23

Bismarck

Employee No.	
Position No.	175163009
Kronos	

CITY OF BISMARCK Civil Service Commission Personnel Action

The following is to be prepared when a Department Head takes any personnel action. The Department Head is to keep a copy of this form and send the original to the Human Resources Department. The personnel action will be processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: Police (RM)
Emp. Name: Tyler Nord	Position: Police Officer
Supervisor: Lt Steve Scheuer	

G/L Acct #: 100-175-147-4110-000	Grade: 17
Project Number:	Workers Comp. Code: 7720

Copy as example in Kronos:	Dana Ritzke
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Reason for Personnel Action	Effective Date: 10-30-22	HR Use Only	
☐ New Employee	☐ Employee Separation	Alpha	EOP
☐ G/L Change	☐ Salary Adjustment	P#	R&R
☐ Salary Increase	☐ Retirement	IT	ATR
☐ Transfer	☐ Probationary to Regular	NHG	SG
☐ Promotion	☒ Change of Supervisor	Drug	CS
☐ Demotion*	☒ Other	Orientation	

Reason: Needs to be added to Lt Scheuer's kronos

PD Patrol 2 Sgt

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☐ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary:

Complete for Employee Separation		
☐ Quit	☐ Retired	☐ Terminated
Reason for Termination (If Applicable):		

Department Head/Date: [Signature] 10/22/22

Revision Date: 12/15

7E 10-13-22
City 0015

Bismarck

	Employee No.
175163009	Position No.
	Kronos

CITY OF BISMARCK Civil Service Commission Personnel Action

The following is to be prepared when a Department Head takes any personnel action. The Department Head is to keep a copy of this form and send the original to the Human Resources Department. The personnel action will be processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: Police (RM)
Emp. Name: Tyler Nord	Position: Police Officer
Supervisor: Lt Steve Scheuer	

G/L Acct #: 100-175-147-4110-000	Grade: 17
Project Number:	Workers Comp. Code: 7720

Copy as example in Kronos:	Dana Ritzke
-----------------------------------	-------------

Reason for Personnel Action	Effective Date: 10-23-2022	HR Use Only	
☐ New Employee	☐ Employee Separation	Alpha	EOP
☐ G/L Change	☐ Salary Adjustment	P#	R&R
☐ Salary Increase	☐ Retirement	IT	ATR
☐ Transfer	☐ Probationary to Regular	NHG	SG
☐ Promotion	☒ Change of Supervisor	Drug	CS
☐ Demotion*	☒ Other	Orientation	

Reason: Needs to be added to Lt Scheuer's kronos

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☐ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary:

Complete for Employee Separation		
☐ Quit	☐ Retired	☐ Terminated
Reason for Termination (If Applicable):		

Department Head/Date: [Signature] 10/12/22
Revision Date: 12/15



██████████	Employee No.
175163009	Position No.
	Kronos

CITY OF BISMARCK
Civil Service Commission
Personnel Action

The following is to be prepared when a Department Head takes any personnel action. The Department Head is to keep a copy of this form and send the original to the Human Resources Department. The personnel action will be processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: POLICE
Emp. Name: TYLER NORD	Position: POLICE OFFICER
Supervisor: LT. LUKE GARDINER	

G/L Acct #:	Grade:
Project Number:	Workers Comp. Code:

Copy as example in Kronos:

Reason for Personnel Action	Effective Date: 08/14/2023	HR Use Only	
☐ New Employee	☐ Employee Separation	Alpha	EOP
☐ G/L Change	☐ Salary Adjustment	P#	R&R
☐ Salary Increase	☐ Retirement	IT	ATR
☐ Transfer	☐ Probationary to Regular	NHG	SG
☐ Promotion	☒ Change of Supervisor	Drug	CS
☐ Demotion*	☐ Other	Orientation	

Reason: _____

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☐ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary:

Complete for Employee Separation		
☐ Quit	☐ Retired	☐ Terminated
Reason for Termination (If Applicable):		

Department Head/Date: L. Gave 8/22/23

Revision Date: 12/15

Bismarck

COPY

	Employee No.
175163009	Position No.
	Kronos

CITY OF BISMARCK

Civil Service Commission
Personnel Action

The following is to be prepared when a Department Head takes any personnel action. The Department Head is to keep a copy of this form and send the original to the Human Resources Department. The personnel action will be processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: POLICE
Emp. Name: TYLER NORD	Position: POLICE OFFICER
Supervisor: LT. LUKE GARDINER	

G/L Acct #:	Grade:
Project Number:	Workers Comp. Code:

Copy as example in Kronos:	
----------------------------	--

Reason for Personnel Action	Effective Date: 08/15/2023	HR Use Only	
☐ New Employee	☐ Employee Separation	Alpha	EOP
☐ G/L Change	☐ Salary Adjustment	P#	R&R
☐ Salary Increase	☐ Retirement	IT	ATR
☐ Transfer	☒ Probationary to Regular	NHG	SG
☐ Promotion	☐ Change of Supervisor	Drug	CS
☐ Demotion*	☐ Other	Orientation	

Reason: _____

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☐ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary:

Complete for Employee Separation			
☐ Quit	☐ Retired	☐ Terminated	
Reason for Termination (If Applicable):			

Department Head/Date:  for DD 8/29/23
Revision Date: 12/15

Bismarck

	Employee No.
175163009	Position No.
	Kronos

CITY OF BISMARCK

Civil Service Commission

Personnel Action

The following is to be prepared when a Department Head takes any personnel action. The Department Head is to keep a copy of this form and send the original to the Human Resources Department. The personnel action will be processed to become effective after the Board of City Commissioner's approval.

To: Human Resources Department	From: Police (RM)
Emp. Name: Tyler Nord	Position: Police Officer
Supervisor: Lt Luke Gardiner	

G/L Acct #: 100-175-147-4110-000	Grade: 17
Project Number:	Workers Comp. Code: 7720

Copy as example in Kronos:	
----------------------------	--

Reason for Personnel Action	Effective Date: May 26, 2024	HR Use Only	
☐ New Employee	☒ Employee Separation	Alpha	EOP
☐ G/L Change	☐ Salary Adjustment	P#	R&R
☐ Salary Increase	☐ Retirement	IT	ATR
☐ Transfer	☐ Probationary to Regular	NHG	SG
☐ Promotion	☐ Change of Supervisor	Drug	CS
☐ Demotion*	☐ Other	Orientation	

Reason: Termination

*On demotion and termination actions, the employee must be advised of the right to appeal such action to the Civil Service Commission. Upon receipt of notice, the employee has five business days to file a written request with the Civil Service Commission for a hearing.

Complete for New Employee		
☐ FT Exempt:	☒ FT Hourly:	☐ PT Hourly:

Complete for Salary Change	
Present Salary:	Proposed New Salary:

Complete for Employee Separation		
☐ Quit	☐ Retired	☒ Terminated
Reason for Termination (If Applicable): Policy Violations		

Department Head/Date: Lane & S 5/28/24
Revision Date: 12/15

November 22, 2022

From: Lieutenant Michael McMerty

To: Officer Tyler Nord's supervisor(s)

Re: Concern over intentionally violating the law with illegally tinted windows of personally owned vehicle.

On 10/6/2022 I was instructing the Bismarck Police Department Recruit In-Service class, which included Officer Nord, on the topic of Municipal Ordinances. When on the topic of Tinted Vehicle Windows, I explained the law on the Light Transmittance requirement being 50% on the front driver's compartment windows. It was brought to my attention that Officer Nord had/has done window tinting as a side job. When talking, he also stated that he had tinted his windows as when he worked for Fargo PD, he would wear his uniform to work and wanted privacy when he drove. I explained the law and didn't think any more of it.

On 11/22/2022 when arriving to work I noticed a red Suburban that had a Tinting advertisement on it on the back window. I had thought to myself this must be Officer Nord's vehicle. As I walked by the vehicle, I noticed the front windows to be tinted to a degree that appeared to match the rear factory tinted windows and estimated the light transmittance value of about 20%, which is well under the legal limit of 50%. The front windshield also had the same level of tint that appeared to extend below the AS1 line, which violates the federal standard as well as state law of requiring 70% light transmittance through the windshield.

At about 0700 hours I observed Officer Nord in a hallway as it was the beginning of his shift. As I am Officer Nord's commander, I was obligated to address the issue. As I didn't want to embarrass him, I called him off to the side and spoke with him alone. I asked him if the red vehicle I had seen outside was his and he acknowledged it was. I asked him about the tinted windows and if they were too dark and he acknowledged that they probably were. I informed him that due to the law, he would need to have the tint removed. Twice Officer Nord stated he would not remove the tint when I told him it needed to come off. I then concluded the conversation with Officer Nord as the hallway was not an appropriate place as this conversation

was now turned from an informal direction to a defiant denial of complying of an order by a supervisor.

I elected at this point to notify DC Ziegler of the situation. DC Ziegler instructed me to contact Officer Nord and give him the opportunity to comply with the law, or direct Officer Nord to his office. I agreed with this as I thought this would give Officer Nord the opportunity digest our earlier conversation and just comply with the law.

At approximately 1000 hours I had Sgt. Heinert, who is Officer Nord's immediate supervisor, call Officer Nord into the PD to meet with me. I then briefed Sgt. Heinert as to the issue. Officer Nord, along with his FTO Officer Kern, met with me and I directed Officer Nord into my office and gave Officer Kern the option of joining which he accepted. In the privacy of my office, I asked Officer Nord as to his reasoning of the illegally tinted windows. He stated it was as he explained earlier when in in-service, that being the privacy and driving with his uniform on. Officer Nord also made an accusatory statement to the effect that my noticing his vehicle was strange as though I was searching for it for some reason because it was his. This made no sense to me, but to me it felt like he was trying to displace the wrong of his issue on me. Despite not owing him any explanation on how I came about his vehicle and noticed it, I did inform him he parked it at the only cleared pathway between the two parking lots and I had to walk directly beside it to get from the Bingo Palace lot where I parked to the PD lot.

I again informed Officer Nord his tinted windows were illegal and that he had to follow the law. When asked why he shouldn't have to follow the law he responded that he doesn't enforce the tinted window law. This also concerned me as now Officer Nord was telling me that he has the right to enforce only the laws he wants to, not those that society has established, which he took an oath to uphold all laws. I explained to him that I had spoken with DC Ziegler about the issue and that DC Ziegler had spoken with the Chief and they appear to have the same concern as I do with it. Officer Nord again stated he was not going to take the tint film off. I informed Officer Nord that decision may not go over well with the Chief. I had also discussed Officer Nord's side business of tinting windows. Officer Nord has not completed the Outside Employment form and I informed him if he is tinting people's vehicle windows to illegal levels that may draw some concern from the Chief as well as he is facilitating illegal activity. I advised Officer Nord that if he did not comply with my direction to remove the illegal tint, that he would need to talk with Deputy Chief Ziegler. Officer Nord stated that he would talk to Deputy Chief Ziegler.

I called DC Ziegler and informed him of Officer Nord's decision not to remove his tint. DC Ziegler wished to have me send officer Nord to his office. I accompanied Officer Nord to his office. Officer Kern also was allowed to be present. Once in DC Ziegler's office, DC Ziegler listened to Officer Nord's explanation as to why he wanted the tint. Officer Nord explained, as he did to me, for his privacy. He also attempted to justify by comparing officers speeding in their personal vehicles are breaking the law and it is no different from him breaking the law with his illegal tint. DC Ziegler attempted to explain that officers speeding does occur, but the difference is that Officer Nord is intentionally and blatantly breaking the law. DC Ziegler went on to explain

that officer do enforce the tinted window law and how it looks when we have an officer working here that is parking in the PD parking lot violating the same law as those being enforced. Officer Nord stated that he isn't the only officer parking in our lot with tinted windows, but that he wasn't going to point them out. Officer Nord was informed either by DC Ziegler or me that at this time we haven't seen any others. I had seen a couple vehicles illegally tinted a while ago, but I addressed those officers with their commanders at that time, and they brought their vehicles into compliance with the law.

DC Ziegler informed Officer Nord he needed to remove the tint from his windows. He also informed him that he had spoken with the Chief about this issue. After discussion, DC Ziegler asked Officer Nord if he was going to remove the tint in which Officer Nord responded to the effect that he preferred not to. DC Ziegler discontinued the conversation and informed Officer Nord he would inform the Chief of the reasoning Officer Nord was providing for having the tint. Officer Nord and Officer Kern left DC Ziegler's office.

DC Ziegler and I then spoke with Chief Draovitch and relayed Officer Nord's reasoning and stand on the issue. Chief Draovitch stated he wanted to talk with Officer Nord at this time. I located Officer Nord and Officer Kern in the patrol offices. I led them to the Chief's conference room and was present along side them as well as Chief Draovitch and DC Ziegler. In this meeting Chief Draovitch explained to Officer Nord that we as police officer are not above the law and that we have a standard to conform with the laws. Officer Nord was informed that he needed to have the vehicle in compliance by Friday when he worked next. Officer Kern was instructed to report back to the Chief Friday as to whether the vehicle was in compliance or not.

File

Message

Help

Tell me what you want to do

Ignore

Junk

Delete

Archive

Reply

Reply All

Forward

Meeting

More

Move

Rules

Send to OneNote

Actions

Mark Unread

Categorize

Follow Up

Find

Related

Select

Read Aloud

Immersive Reader

Translate

Zoom

Delete

Respond

Move

Tags

Editing

Immersive

Language

Zoom

FW: Outside Employment Request Nord



Mike McMerty

To Julie Mees

Reply

Reply All

Forward

More

Thu 7/11/2024 2:24 PM



Personnel Input Form - Fillable.docx
.docx File



Outside Employment Verification Form.docx
.docx File



Outside Employment Policy.docx
.docx File

From: Mike McMerty
Sent: Tuesday, July 2, 2024 3:40 PM
To: Jason Stugelmeyer <jstugelmeyer@bismarcknd.gov>
Subject: FW: Outside Employment Request

From: Mike McMerty
Sent: Tuesday, November 22, 2022 3:49 PM
To: Tyler Nord <tnord@bismarcknd.gov>
Cc: Roger Marks <rmarks@bismarcknd.gov>
Subject: Outside Employment Request

Officer Nord,

In regards to employment outside of the Bismarck Police Department, I have included the forms needed to be submitted to include the Personnel Input form and the Outside Employment form. I have also attached a copy of the policy which explains the process. Lt. Marks is the final recipient of all the forms and oversees this. Feel free to contact him or I if you have any questions.

Lieutenant Michael McMerty

City of Bismarck – Bismarck Police Department
700 S 9th St
Bismarck, ND 58504
Office: 701 355-1916
Website: www.bismarcknd.gov
Facebook: www.facebook.com/bismarckpolice

Disclaimer: This e-mail, including attachments, is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510 et seq., may be confidential, or may contain confidential material. It is intended for use only by the person(s) to whom it is directed. If you are not the intended recipient and/or received it in error, you should (1) reply by e-mail to the sender; (2) delete this e-mail, including deletion of all associated text files from all storage locations including individual and network storage devices; and (3) refrain from disseminating or copying this communication. The media in which any electronic data files are transmitted can deteriorate over time and under various conditions. The City does not warrant the accuracy of any information contained in electronic data files transmitted by e-mail.

**BISMARCK POLICE DEPARTMENT
PERSONNEL INPUT FORM**

FROM: _____ **SIGNATURE:** _____

TO: _____ **DATE/TIME:** _____

TOPIC: _____

SUGGESTION/RATIONALE:

ESTIMATED COSTS FOR TRAINING OPPORTUNITIES:

Do costs come from specific budget (SWAT, K9, Bomb)? _____

Conference Registration: \$_____ Fuel/Airfare: \$_____

Per Diem: \$_____ per day for _____ days Lodging: \$_____ per day for _____ days Total Cost: \$_____

<http://www.gsa.gov/portal/content/104877> - \$35 in ND If in-state, ask for State rate

APPROVALS:

UNIT SUPERVISOR:	DATE/TIME:
COMMENTS:	
UNIT COMMANDER:	
DATE/TIME:	
COMMENTS:	
DIVISION COMMANDER:	
DATE/TIME:	
COMMENTS:	
CHIEF OF POLICE:	
DATE/TIME:	
COMMENTS:	

This form is designed to receive input on Departmental matters from all personnel within the Department. The originator will be contacted by the addressee within thirty (30) days from the date submitted to the addressee. This is guaranteed by hand delivery through the chain of command by respective command positions to the addressee. If the originator has not received contact from addressee within thirty (30) days, the originator should request an audience with addressee, which will be granted.

BPD Form 208 rev 03/18

BISMARCK POLICE DEPARTMENT

OUTSIDE EMPLOYMENT VERIFICATION FORM

(To be completed by prospective employer)

Date: _____

Employee's Name: _____

(Please Print)

Employment Dates: From: _____ To: _____

Employment will be: ___ Continuous ___ Seasonal ___ Sporadic (off and on as needed)

Please indicate the approximate number of hours worked per week : _____

Provide a description of the employee's duties and responsibilities: _____

Business/Agency Name: _____

Supervisor/Contact Person*: _____

Business Address: _____

Address

City

State

Zip

Phone: (____) _____ - _____

<i>Supervisor Initials</i>	Employers of Bismarck Police Employees must agree to the following conditions:
	That all equipment necessary for the employee to perform his/her duties will be provided. Without prior approval, no property or equipment owned by, under the control of, or issued by the Bismarck Police Department will be used in association with this employment.
	That the Federal Fair Labor Standards Act will be complied with, and the Bismarck Police Employee will be provided Worker's Compensation coverage while employed with your agency.
	The employer of a Bismarck Police Employee will release him/her from their duties or obligations if he/she is needed to report back to the Bismarck Police Department under any circumstances.
Applicable N/A (Initial appropriate box)	If the employment involves the use of, or potential use of, police powers, the Bismarck Police Department and City of Bismarck will be held harmless to all civil and criminal liability for the actions of the employee during their employment with your agency.
Signature _____ Date _____	

BPD FORM 212

**For verification purposes and so outside employment activities can be monitored, the outside employer will be contacted annually by the Administrative Assistant to the Chief.*

City 0025

BISMARCK POLICE DEPARTMENT	___General Order 2601
___CODE OF CONDUCT DISCIPLINE PROCESS EMPLOYEE MISCONDUCT	Approved: 
	Revision Date: 03-08-2021
	CALEA STANDARDS 22.1.8, 22.2.4, 26.1.1, 26.1.3-26.1.8, 41.3.4, 26.3.5 & 26.3.7-26.3.8

34) **Outside employment** – Employees may engage in outside employment subject to the following limitations:

- a) Such employment shall not interfere with the employee's departmental duties.
- b) Employees shall not engage in employment or business such as bail-bond agents, private investigators, bartenders, or collection work.

Rev 01/2007

- c) Permission to engage in outside employment must be granted prior to engaging in such employment. The department does not allow sworn personnel to be engaged in any secondary employment involving the actual or potential use of law enforcement authority. This does not include those assignments the department considers as “extra-duty” assignments, those are covered in [General Order 2201](#) Section 26.

Rev. 01/2016

- d) All employees requesting to engage in outside employment shall submit a written request to the Chief of Police utilizing the BPD Personnel Input form ([BPD Form 208](#)). The request must explain in detail the type of work, hours to be worked, and the employer. The BPD Outside Employment Verification form ([BPD form 212](#)) will be attached to the Personnel Input Form. The Outside Employment Verification form will be completed by the outside employer, indicating agreement to the following provisions: **Rev. 01/2016**

- (1) The employer will provide all equipment necessary for the employee to perform their duties. Without prior approval, no property or equipment owned by, under the control of, or issued by the Bismarck Police Department will be used in association with the outside employment;
- (2) The outside employer will release the employee from their duties or obligations if the employee is needed to report back to the Police Department under any circumstances;
- (3) The outside employer will comply with the Federal Fair Labor Standards Act, and provide Worker’s Compensation coverage to

the employee while they perform their outside employment duties; and,

- (4) If the employment involves the use of, or potential use of, police powers, the letter must also indicate the outside employer will hold the Bismarck Police Department harmless to all civil and criminal liability for the actions of the employee during the course of their outside employment duties.
- e) Approval may be denied or revoked if it appears that outside employment may/is:
- (1) Physically or mentally exhausting the employee to the point that their performance is affected,
 - (2) Require any special consideration be given to scheduling of employee's work hours,
 - (3) Bring the department under criticism, embarrassment or disrepute,
 - (4) Impair the operation or efficiency of the department or, conflict with the employee's present duties.
- f) Employees may be required to reapply for outside employment annually.
- g) When an employee's outside employment status changes they shall notify the Administrative Services Lieutenant. The Administrative Services Lieutenant shall maintain a list of all employees engaged in outside employment. This list will include the employee's name; date hired by the outside employer, the outside employer's name, and a general description of duties. At least annually the Administrative Services Lieutenant shall review each instance of outside employment by contacting the employee and/or employer, to ensure that the employer, hours of employment, and the nature of the work has not changed. The Administrative Services Lieutenant shall annually complete a written report regarding the status of employee's outside employment. **Rev. 01/2016**
- h) Employees engaged in outside employment shall follow all policies and procedures of the Bismarck Police Department that are applicable when off-duty. Employees engaged in outside employment shall not use the authority of their position at the Bismarck Police Department to take law enforcement action, but rather must only use the authority granted them by their outside employer. [General Order 103](#) Section 26 covers off duty police actions. Employees will not conduct business associated with outside employment while on duty. **Rev. 01/2016**

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Attachments

Rectangular Snip

File name	Modified	Modified By	File size	Sharing	Activity
23 Salaries.xlsx	December 9, 2023	Tyler Nord	23.1 KB	Private	
imal Control training.pptx	November 17, 2022	Tyler Nord	516 KB	Private	
c29156520230801092347.pdf	August 1, 2023	Tyler Nord	1.17 MB	Private	
Outside Employment Verification ...	November 22, 2022	Tyler Nord	26.8 KB	Private	
Personnel Input Form - Fillable.docx	October 20, 2022	Tyler Nord	24.9 KB	Private	
Police Salary patrol only.xlsx	A few seconds ago	Roger Marks	40.4 KB	Private	

**BISMARCK POLICE DEPARTMENT
PERSONNEL INPUT FORM**

FROM: March 2021 **SIGNATURE:** _____

TO: Present **DATE/TIME:** 11/26/2022 1544 Hours

TOPIC: Outside Employment

SUGGESTION/RATIONALE:

The purpose of this input form is to let the admin know of myself, Tyler Nord, working/owning a LLC. I work approximately 15 to 20 hours a month installing paint protection film and window film on vehicles. The name of my company is 10K Tint & PPF, LLC. This company was started in March of 2021 and I have since continued. There are no outside costs needed from the PD for this position.

ESTIMATED COSTS FOR TRAINING OPPORTUNITIES:

Do costs come from specific budget (SWAT, K9, Bomb)? <u>No</u>	
Conference Registration: \$ <u>NA</u>	Fuel/Airfare: \$ <u>NA</u>
Per Diem: \$ <u>NA</u> per day for _____ days Lodging: \$ <u>NA</u> per day for _____ days Total Cost: \$ <u>NA</u>	
http://www.gsa.gov/portal/content/104877 - \$35 in ND If in-state, ask for State rate	

APPROVALS:

UNIT SUPERVISOR:	DATE/TIME:
COMMENTS:	
UNIT COMMANDER:	DATE/TIME:
COMMENTS:	
DIVISION COMMANDER:	DATE/TIME:
COMMENTS:	
CHIEF OF POLICE:	DATE/TIME:
COMMENTS:	

This form is designed to receive input on Departmental matters from all personnel within the Department. The originator will be contacted by the addressee within thirty (30) days from the date submitted to the addressee. This is guaranteed by hand delivery through the chain of command by respective command positions to the addressee. If the originator has not received contact from addressee within thirty (30) days, the originator should request an audience with addressee, which will be granted.

BPD Form 208 rev 03/18



PERSONNEL PERFORMANCE EVALUATION CITY OF BISMARCK

Name: Tyler Nord	Job Title: Police Officer	Employee #: [REDACTED]
Department: Police	Division: Support Service (Training)	Date: 9/30/22
Evaluator: Sgt. Mitch Wardzinski	Type: ☒ Annual ☐ Probation	Quarter: 1
Overall Score: 3		

1	2	3	4	5
Employee did not meet all or most of the established performance expectations and needs significant improvement.	Employee met most, but failed to meet some established performance expectations and needs to further improve in one or more areas.	Employee met all established performance expectations.	Employee met all established performance expectations and consistently exceeded some.	Employee met and exceeded all established performance expectations.

Factor 1: Job Performance *Supervisor Only	Rating 3.00	Weight 0.65	Weighted Score 1 1.95
Performance Area Knowledgeable of Job: -Understands job duties and responsibilities, has necessary job skills and technical knowledge, operates equipment safely and effectively, keeps current with new developments Quality Work: -Attentive to detail and accuracy; actively supports quality standards; makes continuous improvements; monitors quality levels; owns and acts on quality problems; consistently delivers what is required when required Productive: -Manages a fair work load; takes on additional responsibilities as needed; manages priorities; manages time well; attains conclusive measurable results; completes assignments on time and to specifications Effective: -Organized and makes good use of resources to accomplish tasks and goals, simplifies complex processes by developing efficient and effective workflows, effective in setting performance standards and goals *-Provides timely feedback, coaching and counseling on subordinates' performance *-Provides opportunities for professional development of others and participates in self-development	Comments or Justification for Rating RO Nord successfully completed Pre-Service, finishing all of his delegated assignments within the allotted time. RO Nord is able to use all the equipment that is needed in order to complete his day to day duties. He picks up quickly learning how and when to use the different equipment appropriately.		

Factor 2: Effective Communication		Rating 3.00	Weight 0.05	Weighted Score 2 0.15
Performance Area	Comments or Justification for Rating			
-Expresses thoughts clearly and concisely in written and oral communications -Maintains composure and communication skills in stressful situations -Friendly, professional business communications, effectively listens to others, open to others view points and responds clearly and directly -Keeps supervisor informed, seeks to clarify and confirm the accuracy and understanding of communications	RO Nord does well talking with other officers and Supervisors within the department. He is approachable and takes criticism well, using it to better his work product and become a better officer. RO Nord keeps his Supervisors informed on any issues that he has and is not afraid to ask questions when he doesn't understand something.			
Factor 3: Initiative		Rating 3.00	Weight 0.05	Weighted Score 3 0.15
Performance Area	Comments or Justification for Rating			
-Willingness to assume additional assignments -Recognizes and acts upon opportunities -Provides proactive recommendations for work process improvements -Productive throughout all assigned hours -Independently contributes ideas and solutions -Promptly resolves problems -Self-starter, hard working.	RO Nord has a good grasp of the basics of Law Enforcement and is getting more comfortable with how we do things at the Bismarck PD compared to his previous agency. RO Nord has been a hard worker since he started with the Department and has been very evident in Pre-Service.			
Factor 4: Judgment and Decisions		Rating 3.00	Weight 0.05	Weighted Score 4 0.15
Performance Area	Comments or Justification for Rating			
-Analyzes problems by evaluating available information, develops effective, viable solutions to problems -Ability to look at multiple perspectives and uses logic and common sense to make appropriate and consistent decisions -Acts independently within established guidelines	RO Nord addresses problems with constructive thought process, making sure that he uses as much available information to make an informed decision. RO Nord works within established guidelines to handle day to day tasks, working well with the others in Pre-Service and being open to learning from each instructor.			

Factor 5: Follows Department Processes and Procedures		Rating 3.00	Weight 0.05	Weighted Score 5 0.15
Performance Area	Comments or Justification for Rating			
-Knowledgeable of and complies with city and department policies and procedures including ethics, computer use and electronic communication policies -Notifies and reports potentially unsafe situations and demonstrates safe working practices -Makes suggestions for improvements in policy and procedures and takes policies into consideration when developing new procedures	RO Nord has recently received training in department policies, ethics, computer usage policy. Officers in the Pre-Service are immersed in policy for the first seven weeks and after they take a policy test, the tests are corrected to 100%.			
Factor 6: Adaptability		Rating 3.00	Weight 0.05	Weighted Score 6 0.15
Performance Area	Comments or Justification for Rating			
-Effectively uses technology to accomplish tasks and improve services -Readily learns new skills and accepts change, open to constructive criticism / self-awareness -Handles a variety of tasks and is able to manage conflicting priorities -Finds solutions to problems and is able to develop consensus and or compromise as appropriate	RO Nord is able to use the computers and software effectively in order to perform his job duties. He finishes his work and submits it in a timely manner for review. RO Nord has had an overload of information given to him in Pre-Service and he is able to process it and utilize it to perform his duties. He is open to criticism and knows that it is not to put him down, rather, it is to help make him a better officer and perform the job better.			
Factor 7: Relationships		Rating 3.00	Weight 0.05	Weighted Score 7 0.15
Performance Area	Comments or Justification for Rating			
-Promotes positive customer service by responding in a timely and appropriate manner to internal and external customers courteously -Promotes teamwork by building alliances and rapport with others -Treats others with dignity and respect using tact and diplomacy while demonstrating respect for individual differences -Maintains positive attitude, mentors others, shares pertinent information and displays effective interpersonal skills -Consistently direct, credible, truthful and not self-serving	RO Nord worked well with the other officer that he completed Pre-Service with as well as with the instructors. RO Nord has a positive attitude and comes to work wanting to get involved in as much as he can so he can learn. He treats co-workers with respect and works with them in order to complete his duties. RO Nord does not get involved in Department gossip keeps a professional appearance.			

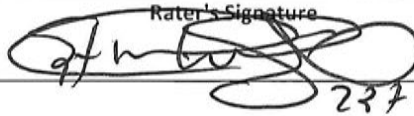
-Doesn't spread gossip or rumors -Demonstrates sensitivity to public perception			
Factor 8: Dependability	Rating 3.00	Weight 0.05	Weighted Score 8 0.15
Performance Area -Reports to work on time, adheres to work schedule, promptly requests schedule adjustments to supervisor. -No excessive absenteeism (excluding FMLA) -Ability to work as a team-player or independently as appropriate -Meets commitments and completes assigned tasks with minimal supervision on a timely basis.	Comments or Justification for Rating RO Nord reports on time for duty ready to go to work. He works well with other officers and promotes teamwork.		
Development Activities			
Goals: Successfully complete the FTO Process and move to Solo Status on his shift.			
Have all of this year's formal disciplinary issues been addressed and attached to this report? ☐ Yes ☐ No ☒ N/A			
If NO, please explain:			

Remedial Activities: Actions which supervisor and employee have agreed upon to correct performance below established expectations.

Rater's Name (Please Print):

Sgt. Mitch Wardzinski

Rater's Signature



Date

9/30/22

Comments of Rater:

Employees Name (Please Print):

Tyler Nord

Employee Signature



Date

10/11/2022

(My signature above does not necessarily indicate that I agree with the rating. It does, however, signify review of its contents and also the opportunity to discuss any questions I might have with the rating authority. My signature also indicates that I have received a copy of this report.)

Employee Comments:

Signature of Rater's Supervisor:

ACTING Lt. M. 8231 for Lt. M. M. 8231

Date:

10/13/22

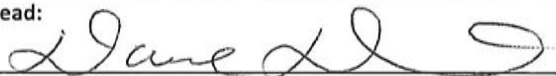
Signature of Rater's Supervisor 2nd Level:



Date:

10/13/22

Signature of Department Head:



Date:

10/13/22

Other Comments:



PERSONNEL PERFORMANCE EVALUATION CITY OF BISMARCK

Name:	Tyler Nord	Job Title:	Police Officer	Employee #:	██████
Department:	Police	Division:	Patrol	Date:	2/15/23
Evaluator:	Sgt. Nick Pynnonen	Type:	☐ Annual ☒ Probation	Quarter:	2
Overall Score:		0			

1	2	3	4	5
Employee did not meet all or most of the established performance expectations and needs significant improvement.	Employee met most, but failed to meet some established performance expectations and needs to further improve in one or more areas.	Employee met all established performance expectations.	Employee met all established performance expectations and consistently exceeded some.	Employee met and exceeded all established performance expectations.

Factor 1: Job Performance *Supervisor Only		Rating	Weight 0.65	Weighted Score 1 0.00
Performance Area	Comments or Justification for Rating			
Knowledgeable of Job: -Understands job duties and responsibilities, has necessary job skills and technical knowledge, operates equipment safely and effectively, keeps current with new developments Quality Work: -Attentive to detail and accuracy; actively supports quality standards; makes continuous improvements; monitors quality levels; owns and acts on quality problems; consistently delivers what is required when required Productive: -Manages a fair work load; takes on additional responsibilities as needed; manages priorities; manages time well; attains conclusive measurable results; completes assignments on time and to specifications Effective: -Organized and makes good use of resources to accomplish tasks and goals, simplifies complex processes by developing efficient and effective workflows, effective in setting performance standards and goals *-Provides timely feedback, coaching and counseling on subordinates' performance *-Provides opportunities for professional development of others and participates in self-development	Nord understands his job duties and has the necessary knowledge to operate equipment. Nord does quality work. Nord manages a fair work load and has no open cases.			

Factor 2: Effective Communication		Rating	Weight 0.05	Weighted Score 2 0.00
Performance Area	Comments or Justification for Rating			
-Expresses thoughts clearly and concisely in written and oral communications -Maintains composure and communication skills in stressful situations -Friendly, professional business communications, effectively listens to others, open to others view points and responds clearly and directly -Keeps supervisor informed, seeks to clarify and confirm the accuracy and understanding of communications	Nord writes clear and quality reports. Nord is professional and direct.			
Factor 3: Initiative		Rating	Weight 0.05	Weighted Score 3 0.00
Performance Area	Comments or Justification for Rating			
-Willingness to assume additional assignments -Recognizes and acts upon opportunities -Provides proactive recommendations for work process improvements -Productive throughout all assigned hours -Independently contributes ideas and solutions -Promptly resolves problems -Self-starter, hard working.	Nord has written a satisfactory amount of citations. Nord ^{has} written the most citations of the officers I supervise during this evaluation period. Nord is productive throughout most of his shift.			
Factor 4: Judgment and Decisions		Rating	Weight 0.05	Weighted Score 4 0.00
Performance Area	Comments or Justification for Rating			
-Analyzes problems by evaluating available information, develops effective, viable solutions to problems -Ability to look at multiple perspectives and uses logic and common sense to make appropriate and consistent decisions -Acts independently within established guidelines	Nord has is able to develop logical and appropriate decisions based on the circumstances of calls.			

Factor 5: Follows Department Processes and Procedures		Rating	Weight 0.05	Weighted Score 5 0.00
Performance Area	Comments or Justification for Rating			
-Knowledgeable of and complies with city and department policies and procedures including ethics, computer use and electronic communication policies -Notifies and reports potentially unsafe situations and demonstrates safe working practices -Makes suggestions for improvements in policy and procedures and takes policies into consideration when developing new procedures	Nord has a good understanding of department policies and procedures. When he does have questions he knows where to look for answers such as in the policy or asks a supervisor.			
Factor 6: Adaptability		Rating	Weight 0.05	Weighted Score 6 0.00
Performance Area	Comments or Justification for Rating			
-Effectively uses technology to accomplish tasks and improve services -Readily learns new skills and accepts change, open to constructive criticism / self-awareness -Handles a variety of tasks and is able to manage conflicting priorities -Finds solutions to problems and is able to develop consensus and or compromise as appropriate	Nord is able to use the computers and software effectively in order to perform his job duties. He finishes his work and submits it in a timely manner for review.			
Factor 7: Relationships		Rating	Weight 0.05	Weighted Score 7 0.00
Performance Area	Comments or Justification for Rating			
-Promotes positive customer service by responding in a timely and appropriate manner to internal and external customers courteously -Promotes teamwork by building alliances and rapport with others -Treats others with dignity and respect using tact and diplomacy while demonstrating respect for individual differences -Maintains positive attitude, mentors others, shares pertinent information and displays effective interpersonal skills -Consistently direct, credible, truthful and not self-serving	Nord works well with other officers and is often involved with other officers in doing proactive police work. Nord is open to criticism has a positive attitude.			

-Doesn't spread gossip or rumors -Demonstrates sensitivity to public perception			
Factor 8: Dependability	Rating	Weight 0.05	Weighted Score 8 0.00
Performance Area	Comments or Justification for Rating		
-Reports to work on time, adheres to work schedule, promptly requests schedule adjustments to supervisor. -No excessive absenteeism (excluding FMLA) -Ability to work as a team-player or independently as appropriate -Meets commitments and completes assigned tasks with minimal supervision on a timely basis.	Nord reports on time for duty ready to go to work. He works well with other officers and promotes teamwork.		
Development Activities			
Goals: Successfully complete probation, take on an informal leadership type roles with the ultimate goal of getting promoted in the next 3-5 years.			
Have all of this year's formal disciplinary issues been addressed and attached to this report? ☐ Yes ☐ No ☒ N/A			
If NO, please explain:			

Remedial Activities: Actions which supervisor and employee have agreed upon to correct performance below established expectations.

Rater's Name (Please Print):

Sgt. Nick Pynnonen

Rater's Signature



Date

2/14/23

Comments of Rater:

Employees Name (Please Print):

Tyler Nord

Employee Signature



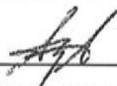
Date

2/14/2023

(My signature above does not necessarily indicate that I agree with the rating. It does, however, signify review of its contents and also the opportunity to discuss any questions I might have with the rating authority. My signature also indicates that I have received a copy of this report.)

Employee Comments:

Signature of Rater's Supervisor:



Date:

2/14/23

(In order to ensure uniform, fair, and impartial evaluations, raters shall be monitored and evaluated by their supervisors in regard to the quality of ratings given to subordinates. To ensure the fairness and validity of the evaluation system, it is required that each performance evaluation report be reviewed and signed by the rater's supervisor.)

Signature of Rater's Supervisor 2nd Level:



Date:

2/15/23

Signature of Department Head:



Date:

2/15/23

Other Comments:



PERSONNEL PERFORMANCE EVALUATION CITY OF BISMARCK

Name:	Tyler Nord	Job Title:	Police Officer	Employee #:	[REDACTED]
Department:	Police	Division:	Patrol	Date:	5/15/23
Evaluator:	Sgt. Nick Pynnonen	Type:	☒ Annual ☒ Probation	Quarter:	3
Overall Score:		0			

1	2	3	4	5
Employee did not meet all or most of the established performance expectations and needs significant improvement.	Employee met most, but failed to meet some established performance expectations and needs to further improve in one or more areas.	Employee met all established performance expectations.	Employee met all established performance expectations and consistently exceeded some.	Employee met and exceeded all established performance expectations.

Factor 1: Job Performance	Rating	Weight	Weighted Score 1
*Supervisor Only		0.65	0.00
Performance Area	Comments or Justification for Rating		
Knowledgeable of Job: -Understands job duties and responsibilities, has necessary job skills and technical knowledge, operates equipment safely and effectively, keeps current with new developments Quality Work: -Attentive to detail and accuracy; actively supports quality standards; makes continuous improvements; monitors quality levels; owns and acts on quality problems; consistently delivers what is required when required Productive: -Manages a fair work load; takes on additional responsibilities as needed; manages priorities; manages time well; attains conclusive measurable results; completes assignments on time and to specifications Effective: -Organized and makes good use of resources to accomplish tasks and goals, simplifies complex processes by developing efficient and effective workflows, effective in setting performance standards and goals *-Provides timely feedback, coaching and counseling on subordinates' performance *-Provides opportunities for professional development of others and participates in self-development	Nord understands his job duties and has the necessary knowledge to operate equipment. Nord does quality work. Nord manages a fair work load and has no open cases.		

Factor 2: Effective Communication		Rating	Weight 0.05	Weighted Score 2 0.00
Performance Area	Comments or Justification for Rating			
-Expresses thoughts clearly and concisely in written and oral communications -Maintains composure and communication skills in stressful situations -Friendly, professional business communications, effectively listens to others, open to others view points and responds clearly and directly -Keeps supervisor informed, seeks to clarify and confirm the accuracy and understanding of communications	Nord writes clear and quality reports. Nord is professional and direct.			
Factor 3: Initiative		Rating	Weight 0.05	Weighted Score 3 0.00
Performance Area	Comments or Justification for Rating			
-Willingness to assume additional assignments -Recognizes and acts upon opportunities -Provides proactive recommendations for work process improvements -Productive throughout all assigned hours -Independently contributes ideas and solutions -Promptly resolves problems -Self-starter, hard working.	Nord has written a satisfactory amount of citations. Nord has written the most citations of the officers I supervise during this evaluation period. Nord is productive throughout most of his shift. Nord is willing to assume additional assignments as shown by his input form submission to be part of the UAS team.			
Factor 4: Judgment and Decisions		Rating	Weight 0.05	Weighted Score 4 0.00
Performance Area	Comments or Justification for Rating			
-Analyzes problems by evaluating available information, develops effective, viable solutions to problems -Ability to look at multiple perspectives and uses logic and common sense to make appropriate and consistent decisions -Acts independently within established guidelines	Nord has is able to develop logical and appropriate decisions based on the circumstances of calls. After an OIS Nord had the awareness to get on the radio and ask for a status check on officers involved.			

Factor 5: Follows Department Processes and Procedures		Rating	Weight 0.05	Weighted Score 5 0.00
Performance Area	Comments or Justification for Rating			
-Knowledgeable of and complies with city and department policies and procedures including ethics, computer use and electronic communication policies -Notifies and reports potentially unsafe situations and demonstrates safe working practices -Makes suggestions for improvements in policy and procedures and takes policies into consideration when developing new procedures	Nord has a good understanding of department policies and procedures. When he does have questions he knows where to look for answers such as in the policy or asks a supervisor.			
Factor 6: Adaptability		Rating	Weight 0.05	Weighted Score 6 0.00
Performance Area	Comments or Justification for Rating			
-Effectively uses technology to accomplish tasks and improve services -Readily learns new skills and accepts change, open to constructive criticism / self-awareness -Handles a variety of tasks and is able to manage conflicting priorities -Finds solutions to problems and is able to develop consensus and or compromise as appropriate	Nord is able to use the computers and software effectively in order to perform his job duties. He finishes his work and submits it in a timely manner for review.			
Factor 7: Relationships		Rating	Weight 0.05	Weighted Score 7 0.00
Performance Area	Comments or Justification for Rating			
-Promotes positive customer service by responding in a timely and appropriate manner to internal and external customers courteously -Promotes teamwork by building alliances and rapport with others -Treats others with dignity and respect using tact and diplomacy while demonstrating respect for individual differences -Maintains positive attitude, mentors others, shares pertinent information and displays effective interpersonal skills -Consistently direct, credible, truthful and not self-serving	Nord works well with other officers and is often involved with other officers in doing proactive police work. Nord is open to criticism has a positive attitude.			

-Doesn't spread gossip or rumors -Demonstrates sensitivity to public perception			
Factor 8: Dependability		Rating	Weight 0.05
		Weighted Score 8 0.00	
Performance Area	Comments or Justification for Rating		
-Reports to work on time, adheres to work schedule, promptly requests schedule adjustments to supervisor. -No excessive absenteeism (excluding FMLA) -Ability to work as a team-player or independently as appropriate -Meets commitments and completes assigned tasks with minimal supervision on a timely basis.	Nord reports on time for duty ready to go to work. He works well with other officers and promotes teamwork.		
Development Activities			
Goals: Successfully complete probation, take on an informal leadership type roles with the ultimate goal of getting promoted in the next 3-5 years. Nord has also submitted an input form to become a member of the UAS team.			
Have all of this year's formal disciplinary issues been addressed and attached to this report? ☐ Yes ☐ No ☒ N/A			
If NO, please explain:			

Remedial Activities: Actions which supervisor and employee have agreed upon to correct performance below established expectations.

Rater's Name (Please Print):

Sgt. Nick Pynnonen

Rater's Signature



Date

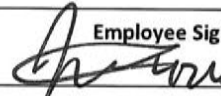
5/18/23

Comments of Rater:

Employee's Name (Please Print):

Tyler Nord

Employee Signature



Date

5/18/2023

(My signature above does not necessarily indicate that I agree with the rating. It does, however, signify review of its contents and also the opportunity to discuss any questions I might have with the rating authority. My signature also indicates that I have received a copy of this report.)

Employee Comments:

Signature of Rater's Supervisor:



Date:

5/18/23

(In order to ensure uniform, fair, and impartial evaluations, raters shall be monitored and evaluated by their supervisors in regard to the quality of ratings given to subordinates. To ensure the fairness and validity of the evaluation system, it is required that each performance evaluation report be reviewed and signed by the rater's supervisor.)

Signature of Rater's Supervisor 2nd Level:



Date:

5/19/23

Signature of Department Head:



Date:

5/19/23

Other Comments:



PERSONNEL PERFORMANCE EVALUATION CITY OF BISMARCK

Name: Tyler Nord	Job Title: Police Officer	Employee #: [REDACTED]
Department: Police	Division: Patrol	Date: 8/15/23
Evaluator: Sgt. Nick Pynnonen	Type: ☒ Annual ☐ Probation	Quarter: 4
Overall Score: 4.125		

1	2	3	4	5
Employee did not meet all or most of the established performance expectations and needs significant improvement.	Employee met most, but failed to meet some established performance expectations and needs to further improve in one or more areas.	Employee met all established performance expectations.	Employee met all established performance expectations and consistently exceeded some.	Employee met and exceeded all established performance expectations.

Factor 1: Job Performance *Supervisor Only		Rating 4.50	Weight 0.65	Weighted Score 1 2.93
Performance Area	Comments or Justification for Rating			
Knowledgeable of Job: -Understands job duties and responsibilities, has necessary job skills and technical knowledge, operates equipment safely and effectively, keeps current with new developments Quality Work: -Attentive to detail and accuracy; actively supports quality standards; makes continuous improvements; monitors quality levels; owns and acts on quality problems; consistently delivers what is required when required Productive: -Manages a fair work load; takes on additional responsibilities as needed; manages priorities; manages time well; attains conclusive measurable results; completes assignments on time and to specifications Effective: -Organized and makes good use of resources to accomplish tasks and goals, simplifies complex processes by developing efficient and effective workflows, effective in setting performance standards and goals *-Provides timely feedback, coaching and counseling on subordinates' performance *-Provides opportunities for professional development of others and participates in self-development	Nord understands his job duties and has the necessary knowledge to operate equipment safely and effectively. Nord does quality work and does not need to have reports sent back for correction. Nord manages a fair work load and has no open cases pending follow up. Nord has 1,714 calls for service and 176 citations in his name. Nord has also taken on the additional responsibilities associated with being a member of UAS team, FTO, and mobile field force.			

Factor 2: Effective Communication		Rating 3.00	Weight 0.05	Weighted Score 2 0.15
Performance Area	Comments or Justification for Rating			
-Expresses thoughts clearly and concisely in written and oral communications -Maintains composure and communication skills in stressful situations -Friendly, professional business communications, effectively listens to others, open to others view points and responds clearly and directly -Keeps supervisor informed, seeks to clarify and confirm the accuracy and understanding of communications	Nord is clearly understood in both written and oral communications. He is clear and concise as a communicator and maintains his composure when dealing with difficult subjects.			
Factor 3: Initiative		Rating 4.00	Weight 0.05	Weighted Score 3 0.20
Performance Area	Comments or Justification for Rating			
-Willingness to assume additional assignments -Recognizes and acts upon opportunities -Provides proactive recommendations for work process improvements -Productive throughout all assigned hours -Independently contributes ideas and solutions -Promptly resolves problems -Self-starter, hard working.	Nord has assumed additional assignments such as FTO and becoming a member of the UAS team. Nord seeks practical solutions to provide for improved work processes. Nord submitted an input form suggesting contract policing assignments for traffic escorts to free up patrol and traffic officers and provide for more overtime opportunities. Nord is in the top half of officers on the shift for citation counts which is a common indicator of self initiated activity.			
Factor 4: Judgment and Decisions		Rating 5.00	Weight 0.05	Weighted Score 4 0.25
Performance Area	Comments or Justification for Rating			
-Analyzes problems by evaluating available information, develops effective, viable solutions to problems -Ability to look at multiple perspectives and uses logic and common sense to make appropriate and consistent decisions -Acts independently within established guidelines	Nord is able to develop logical and appropriate decisions based on the circumstances of calls. He has been consulted by department administrators for solutions to problems such as dealing with the homeless. I also often consult Nord to get his perspective on incidents as he is able to make appropriate decisions based on his previous experience and training. Nord can be relied upon to make sound decisions After an OIS Nord had the awareness to get on the radio and ask for a status check on officers involved.			

Factor 5: Follows Department Processes and Procedures		Rating 3.00	Weight 0.05	Weighted Score 0.15
Performance Area	Comments or Justification for Rating			
-Knowledgeable of and complies with city and department policies and procedures including ethics, computer use and electronic communication policies -Notifies and reports potentially unsafe situations and demonstrates safe working practices -Makes suggestions for improvements in policy and procedures and takes policies into consideration when developing new procedures	Nord has a good understanding of department policies and procedures. When he does have questions he knows where to look for answers such as in the policy or asks a supervisor.			
Factor 6: Adaptability		Rating 3.00	Weight 0.05	Weighted Score 0.15
Performance Area	Comments or Justification for Rating			
-Effectively uses technology to accomplish tasks and improve services -Readily learns new skills and accepts change, open to constructive criticism / self-awareness -Handles a variety of tasks and is able to manage conflicting priorities -Finds solutions to problems and is able to develop consensus and or compromise as appropriate	Nord is able to use the computers and software effectively in order to perform his job duties. He finishes his work and submits it in a timely manner for review.			
Factor 7: Relationships		Rating 3.00	Weight 0.05	Weighted Score 0.15
Performance Area	Comments or Justification for Rating			
-Promotes positive customer service by responding in a timely and appropriate manner to internal and external customers courteously -Promotes teamwork by building alliances and rapport with others -Treats others with dignity and respect using tact and diplomacy while demonstrating respect for individual differences -Maintains positive attitude, mentors others, shares pertinent information and displays effective interpersonal skills -Consistently direct, credible, truthful and not self-serving	Nord understands and knows how to get along with co-workers and works effectively with others. He is calm and even tempered when dealing with difficult subjects. When talking with Nord he is direct, credible, and truthful.			

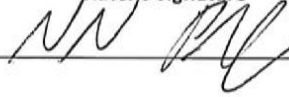
-Doesn't spread gossip or rumors -Demonstrates sensitivity to public perception								
Factor 8: Dependability		Rating 3.00	Weight 0.05	Weighted Score 8 0.15				
Performance Area	Comments or Justification for Rating							
-Reports to work on time, adheres to work schedule, promptly requests schedule adjustments to supervisor. -No excessive absenteeism (excluding FMLA) -Ability to work as a team-player or independently as appropriate -Meets commitments and completes assigned tasks with minimal supervision on a timely basis.	Nord reports on time for duty ready to go to work. He works well with other officers and does not have any excessive absenteeism. Nord completes tasks as assigned with very little supervision in a timely manner.							
Development Activities								
Goals: Take on informal leadership type roles with the ultimate goal of getting promoted in the next 3-5 years. Use your strengths and experience to influence others and promote a "team spirit". Continue with responsibilities of the UAS team and FTO duties. Increase self initiated activity.								
Have all of this year's formal disciplinary issues been addressed and attached to this report? ☐ Yes ☐ No ☒ N/A								
If NO, please explain:								

Remedial Activities: Actions which supervisor and employee have agreed upon to correct performance below established expectations.

Rater's Name (Please Print):

Sgt. Nick Pynnonen

Rater's Signature



Date

9/1/23

Comments of Rater:

Employees Name (Please Print):

Tyler Nord

Employee Signature



Date

9/1/2023

(My signature above does not necessarily indicate that I agree with the rating. It does, however, signify review of its contents and also the opportunity to discuss any questions I might have with the rating authority. My signature also indicates that I have received a copy of this report.)

Employee Comments:

Signature of Rater's Supervisor:



Date:

9/1/23

(In order to ensure uniform, fair, and impartial evaluations, raters shall be monitored and evaluated by their supervisors in regard to the quality of ratings given to subordinates. To ensure the fairness and validity of the evaluation system, it is required that each performance evaluation report be reviewed and signed by the rater's supervisor.)

Signature of Rater's Supervisor 2nd Level:



Date:

9/6/23

Signature of Department Head:



Date:

9/18/23

Other Comments:



August 24, 2023

To: Officer Tyler Nord
From: Dave Draovitch
Chief of Police
Re: Regular Status

Congratulations on completing your probationary year as a Police Officer! You have done an excellent job during your probationary year. You are definitely an asset to the Department and our community. I look forward to seeing how you continue to progress.

Well Done!

Dave Draovitch
Chief of Police

Dave Draovitch, Chief of Police

Phone: 701-223-1212 • Fax: 701-355-1861 • 700 South 9th Street • Bismarck, ND 58504-5899
www.bismarcknd.gov • TDD 701-221-6820 • An Equal Opportunity-Affirmative Action Employer



City 0051

Tinted Windows - Message (Plain Text)

File

Message

Help

Tell me what you want to do

Ignore

Delete

Archive

Reply

Reply All

Forward

More

Meeting

Move

Rules

Send to OneNote

Actions

Mark Unread

Categorize

Follow Up

Find

Related

Select

Read Aloud

Immersive Reader

Translate

Zoom

Delete

Respond

Move

Tags

Editing

Immersive

Language

Zoom

LG

Tinted Windows

Luke Gardiner

To Jordan West; Darrin Heinert; Garner Jones Jr.; Daniel Salander; Shaun Burkhartsmeier; Klaes Welch; Nickolas T. Pynnonen

Cc Jason Stugelmeyer

↩ Reply

↩ Reply All

➦ Forward

⋮

Mon 5/20/2024 4:56 PM

Sergeants,

It was brought to my attention today that there are 4 vehicles with illegally tinted windows in our parking lots. I know for a fact, one of them belongs to Officer Nord. I spoke with Tyler over the phone and requested the tint be taken off the car. He said he will when he has "time". I am going to send him an email and cc you all to give him a time to get the tint off of his truck.

This might seem trivial, but we are the enforcers of the law and need to abide by the law. I want everyone on the same page on this. It doesn't matter who told on who, what matters is that we abide by the laws we enforce, no matter our thoughts on those laws. Please reach out with any questions.

Luke

Luke Gardiner

From: Luke Gardiner
Sent: Monday, May 20, 2024 5:05 PM
To: Tyler Nord
Cc: Klaes Welch; Darrin Heinert; Jordan West; Daniel Salander; Garner Jones Jr.; Shaun Burkhardtmeier; Nickolas T. Pynnonen
Subject: Tinted Windows

Officer Nord,

Per our conversation on the phone regarding your tinted windows. I want the tint removed by the next time you drive your vehicle to work.

As police officers we are held to the laws that we enforce, whether or not we agree with the law. Knowing that you've been talked to about this makes me more even more concerned. I appreciate the work you do for our department and hope that we can agree that it sheds a bad light on our profession when we purposefully violate the laws we are entrusted to enforce.

I understand that the vehicle was purchased in MN and is not yet registered in ND, but you live, work, and enforce laws here and knew at some point this would come up, based on previous conversations from your prior Lt, up to the Chief.

Thanks for taking care of this.

Lt Luke Gardiner

Bismarck Police Department

May 21, 2024

FROM: Lieutenant Luke Gardiner

TO: Deputy Chief Jason Stugelmeyer

REF: Officer Nord/Tinted Windows

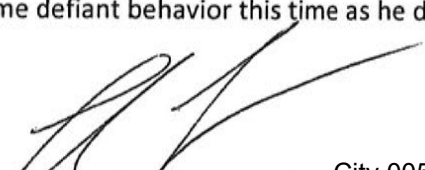
On May 20, 2024, I was notified by you that there were four vehicles in the parking lot with illegally tinted windows. One of the vehicles with illegal tint belonged to an officer under my command, Officer Tyler Nord. It was requested that I address this issue, and I did by calling Officer Nord.

I called Officer Nord around 1645 hours and asked him about the illegal tint on his windows. He informed me that he bought the vehicle in Minnesota and that it wasn't enforceable until he got it registered in ND. Additionally, he said that he does not enforce the tint laws of ND and did not agree that it was an issue with having the tint. Ultimately, Officer Nord did agree to take the tint off his window when he had "time" between his work schedule and his second jobs schedule. When I requested a time/date for the tint to be removed, I was not given an answer. I was unsatisfied with this response, so I sent him an email requesting the tint be taken off his vehicle the next time he comes to work (Attached).

On May 21, 2024, I requested information from Lt. Marks regarding Officer Nord's outside employment. Officer Nord did not have the proper paperwork filled out regarding outside employment. I sent Officer Nord another email requesting that information, and the proper paperwork to be filled out (Attached). Later that same day, I received BPD Form 212, but not the personnel input for and asked for that as well.

Officer Nord did turn in the Personnel Input Form and as he did, I informed him that I did not know that he had a business prior to taking command of this shift. I was met with anger and frustration with our policies and the fact that we care about his personal choices outside of work. I tried to explain the reasoning why we cannot have our officers driving around with tinted windows when it is against the law, but Officer Nord talked about our discretion in enforcing the law. He also said, that as a tinting business owner, it would be ethically wrong to enforce tinting violation. Since Officer Nord brought up ethics, I informed him that it was unethical to tint someone's window knowing that it was in violation of NDCC. He disagreed because it was their choice, not his to pay for the tint. I informed him I do not want to deal with this issue again and to get it fixed. He agreed and said he will find a different place to park. (Indicating to me he will still knowingly, and intentionally violate NDCC). Officer Nord also tried to justify the tint by using speeding, and registration violations, which I informed him that tint is different, because you pay money to someone or a store to make your vehicle illegal. Officer Nord does not appear to understand why this is an issue.

I don't think that Officer Nord will comply with Tinted Windows law in NDCC, and moreover, he is assisting in making other vehicles illegal to operate on ND streets (admittedly when talking about his business). I find this to be untenable to reach an agreement on abiding by the laws we are entrusted to enforce, even if we don't agree with them. All of this is documented from this incident. Additionally, Officer Nord has exhibited the same defiant behavior this time as he did last time regarding his tinted windows. Let me know if you have any questions.


Lt. Luke Gardiner Patrol Commander

City 0054

Luke Gardiner

From: Luke Gardiner
Sent: Monday, May 20, 2024 5:05 PM
To: Tyler Nord
Cc: Klaes Welch; Darrin Heinert; Jordan West; Daniel Salander; Garner Jones Jr.; Shaun Burkhartsmeier; Nickolas T. Pynnonen
Subject: Tinted Windows

Officer Nord,

Per our conversation on the phone regarding your tinted windows. I want the tint removed by the next time you drive your vehicle to work.

As police officers we are held to the laws that we enforce, whether or not we agree with the law. Knowing that you've been talked to about this makes me more even more concerned. I appreciate the work you do for our department and hope that we can agree that it sheds a bad light on our profession when we purposefully violate the laws we are entrusted to enforce.

I understand that the vehicle was purchased in MN and is not yet registered in ND, but you live, work, and enforce laws here and knew at some point this would come up, based on previous conversations from your prior Lt, up to the Chief.

Thanks for taking care of this.

Lt Luke Gardiner

Luke Gardiner

From: Luke Gardiner
Sent: Tuesday, May 21, 2024 10:08 AM
To: Tyler Nord
Subject: Outside employment
Attachments: Outside employment.pdf

Tyler,

Yesterday when we talked, you informed me that you have outside employment of Bismarck Police Department. I asked Lt. Marks if there was any indication of that, as he maintains that list, and I was informed that you are not on that list. I have attached the policy in regards to outside employment. I am requesting that you get in line with that policy. Please come and see me with any questions.

Luke

Lieutenant Luke Gardiner

City of Bismarck – Bismarck Police Department

700 S 9th St

Bismarck, ND 58504

Office: 701-355-1895

Website: www.bismarcknd.gov

Facebook: www.facebook.com/bismarckpolice

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Took the weekend to finish installing some 3M Ceramic on the whole cab of this AT4 and some 3M Obsidian on the topper. Also continued with some PPF on the bumper, hood, fenders, and above the windshield





10K Tint & PPF

October 25, 2021 · 🌐

Got to put some 3M Obsidian on this awesome 2020 Silverado!





10K Tint & PPF

December 14, 2021 · 🌐

Put some 3M Ceramic and a sun strip on this fancy 2020 Navigator!



👍 3

1 ➡

👍 Like

💬 Comment



10K Tint & PPF

February 18, 2022 · 🌐

Threw some 3M Ceramic and a sunstrip on this Buick Enclave!



3



1

👍 Like

💬 Comment



10K Tint & PPF

August 21, 2023 · 🌐

Stripped off the old film and added some 3M Ceramic to this nice Yukon!



👍 5

1 🔄

👍 Like

💬 Comment



10K Tint & PPF

September 18, 2023 · 🌐

Spruced this Trail Boss up with some 3M Obsidian 🔥

- ◆ 3M Automotive Window Tinting
- 3M Paint Protection film
- ◆ 3M Residential & Commercial Window Tinting ... See more



10K Tint & PPF

Automotive, Aircraft & Boat

📩 Send message

👍 11

6 ➡

👍 Like

💬 Comment



10K Tint & PPF

September 19, 2023 · 🌐

Added a 3M sunstrip and matched the front doors to the rear on the Jeep Renegade!



👍 3

2 ➦

👍 Like

💬 Comment



10K Tint & PPF

September 27, 2023 · 🌐

Gave this new Tacoma a mix of 3M Obsidian in the rear and 3M Ceramic IR up front!

- ◆ 3M Automotive Window Tinting
- 3M Paint Protection film
- ◆ 3M Residential & Commercial Window Tinting ... See more



👍 2

4 ➡

👍 Like

💬 Comment



10K Tint & PPF

October 2, 2023 · 🌐

Gave this new VW Atlas a full wrap of 3M Ceramic IR!

- ◆ 3M Automotive Window Tinting
- 3M Paint Protection film
- ◆ 3M Residential & Commercial Window Tinting ... See more



4



2

👍 Like

💬 Comment



10K Tint & PPF

November 17, 2023 · 🌐

Customer stopped in with his Audi Q7 for a 3M sunstrip and a full wrap of 3M Ceramic IR 🔥🔥🔥🔥

- ◆ 3M Automotive Window Tinting
 - 3M Paint Protection film
 - ◆ 3M Residential & Commercial Window Tinting
- ~~~... See more



👍 Like

💬 Comment

Outside employment - Message (HTML)

FileMessageHelpAttachmentsTell me what you want to do

OpenQuick PrintRemove Attachment

Save AsSave All Attachments

UploadUpload All Attachments

Select AllCopy

Show Message

ActionsSave to ComputerSave to CloudSelectionMessage

Outside employment

LG

Luke Gardiner

To Tyler Nord

Outside employment.pdf.pdf File

ReplyReply AllForward

Tue 5/21/2024 10:08 AM

Tyler,

Yesterday when we talked, you informed me that you have outside employment of Bismarck Police Department. I asked Lt. Marks if there was any indication of that, as he maintains that list, and I was informed that you are not on that list. I have attached the policy in regards to outside employment. I am requesting that you get in line with that policy. Please come and see me with any questions.

Luke

Lieutenant Luke Gardiner
City of Bismarck – Bismarck Police Department
700 S 9th St
Bismarck, ND 58504
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Facebook: www.facebook.com/bismarckpolice

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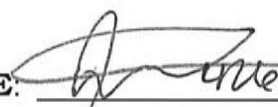
break. The exception is if their duties or assignments require them to be outside the city limits. **Rev. 11/2015**

- 32) **Refusals to work** – Employees are prohibited from planning or engaging in a strike, work stoppage or slow down.
- 33) **Associations and recommendations** – Employees shall avoid regular or continuous associations or dealings with persons under criminal investigation or indictment, or who have a reputation in the community or department for involvement, past or present, in felonies or criminal behavior, except as necessary for the performance of their official duties, or where unavoidable because of personal relationships. Nor shall employees, while on duty, recommend to subjects who have been arrested or under investigation, any professional services such as attorneys, bondsmen, detectives, or physicians.
- 34) **Outside employment** – Employees may engage in outside employment subject to the following limitations:
- a) Such employment shall not interfere with the employee's departmental duties.
 - b) The department does not allow sworn personnel to be engaged in any secondary employment involving the actual or potential use of law enforcement authority, such as but not limited to, bail bonds agents, private investigators, repossessions, or collection work etc. **Rev 02/2024**
 - c) Permission to engage in outside employment must be granted prior to engaging in such employment. The department does not allow sworn personnel to be engaged in any secondary employment involving the actual or potential use of law enforcement authority. This does not include those assignments the department considers as “extra-duty” assignments, those are covered in [General Order 2201](#) Section 26. **Rev. 01/2016**
 - d) All employees requesting to engage in outside employment shall submit a written request to the Chief of Police utilizing the BPD Personnel Input form ([BPD Form 208](#)). The request must explain in detail the type of work, hours to be worked, and the employer. The BPD Outside Employment Verification form ([BPD form 212](#)) will be attached to the Personnel Input Form. The Outside Employment Verification form will be completed by the outside employer, indicating agreement to the following provisions: **Rev. 01/2016**
 - (1) The employer will provide all equipment necessary for the employee to perform their duties. Without prior approval, no property or equipment owned by, under the control of, or issued by the Bismarck Police Department will be used in association with the outside employment;
 - (2) The outside employer will release the employee from their duties or obligations if the employee is needed to report back to the Police Department under any circumstances.
 - (3) The outside employer will comply with the Federal Fair Labor Standards Act, and provide Worker’s Compensation coverage to the employee while they perform their outside employment duties.
 - (4) If the employment involves the use of, or potential use of, police powers, the letter must also indicate the outside employer will hold the Bismarck Police Department harmless to all civil and criminal liability for the actions of the employee during the course of their outside employment duties.

- e) Approval may be denied or revoked if it appears that outside employment may/is:
 - (1) Physically or mentally exhausting the employee to the point that their performance is affected,
 - (2) Require any special consideration be given to scheduling of employee's work hours,
 - (3) Bring the department under criticism, embarrassment, disrepute, or where there is a conflict of interest or an appearance of a conflict of interest. **Rev. 02/2024**
 - (4) Interfere with the employee's departmental duties, functions, or responsibilities of either the employee or police department. **Rev. 02/2024**
 - (5) Potentially discredit the Bismarck Police Department or otherwise undermine the public trust and confidence of law enforcement or the legal system or anything not consistent with the Department and the City's policies and ethics. **Rev. 02/2024**
 - f) Employees may be required to reapply for outside employment annually.
 - g) When an employee's outside employment status changes they shall notify the Administrative Services Lieutenant. The Administrative Services Lieutenant shall maintain a list of all employees engaged in outside employment. This list will include the employee's name; date hired by the outside employer, the outside employer's name, and a general description of duties. At least annually the Administrative Services Lieutenant shall review each instance of outside employment by contacting the employee and/or employer, to ensure that the employer, hours of employment, and the nature of the work has not changed. The Administrative Services Lieutenant shall annually complete a written report regarding the status of employee's outside employment. **Rev. 01/2016**
 - h) Employees engaged in outside employment shall follow all policies and procedures of the Bismarck Police Department that are applicable when off-duty. Employees engaged in outside employment shall not use the authority of their position at the Bismarck Police Department to take law enforcement action, but rather must only use the authority granted them by their outside employer. [General Order 103](#) Section 26 covers off duty police actions. Employees will not conduct business associated with outside employment while on duty. **Rev. 01/2016**
 - i) The Chief or their designee is the final authority on approval or denial. **Rev. 02/2024**
- 35) **Political Activity** – employees shall not engage in political activities as defined in **N.D.C.C. Section 39-01-04** while on duty.
- 36) **Personal Appearance** – Information regarding the wearing of uniforms can be found in [General Order 4100](#). All officers, while on duty and unless their assignment dictates otherwise, must be clean shaven, well groomed and clean in person. Clothes and footwear must be clean and properly cared for. If a question arises regarding the appropriateness of an employee's attire, the questioning employee's immediate supervisor shall be contacted. Officers and employees while on duty, must conform to the following guidelines:
Rev. 10/2016

**BISMARCK POLICE DEPARTMENT
PERSONNEL INPUT FORM**

FROM: Tyler Nord

SIGNATURE: 

TO: Lt. Marks

DATE/TIME: 5/21/2024 @ 1200 hours

TOPIC: ~~Responder Readiness Training~~ - ~~web~~ outside employment

SUGGESTION/RATIONALE:

Please see the attached outside employment form.

FYI...I was forthcoming about my window film business when I turned in my background packet prior to being hired.

Thank you for your time.

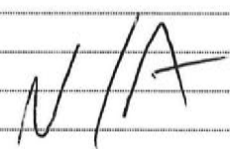
ESTIMATED COSTS FOR TRAINING OPPORTUNITIES:

Do costs come from specific budget (SWAT, K9, Bomb)? No

Conference Registration: \$NA Fuel/Airfare: \$NA

Per Diem: \$NA per day for days Lodging: \$NA per day for days Total Cost: \$NA
<http://www.gsa.gov/portal/content/104877> - \$35 in ND If in-state, ask for State rate

APPROVALS:

UNIT SUPERVISOR:	DATE/TIME:
COMMENTS:	
	
UNIT COMMANDER: <u>Lt. Gardner</u>	DATE/TIME: <u>5/21/2024</u>
COMMENTS:	
<u>Off. Nord operates a window film business. He has 3 companies and has worked as well as vehicle windows.</u>	
DIVISION COMMANDER:	DATE/TIME:
COMMENTS:	
CHIEF OF POLICE:	DATE/TIME:
COMMENTS:	

This form is designed to receive input on Departmental matters from all personnel within the Department. The originator will be contacted by the addressee within thirty (30) days from the date submitted to the addressee. This is guaranteed by hand delivery through the chain of command by respective command positions to the addressee. If the originator has not received contact from addressee within thirty (30) days, the originator should request an audience with addressee, which will be granted.

BPD Form 208 rev 03/18

BISMARCK POLICE DEPARTMENT
OUTSIDE EMPLOYMENT VERIFICATION FORM
(To be completed by prospective employer)

Date: 5/21/2024

Employee's Name: TYCRA NORD (Please Print)

Employment Dates: From: Jan 2021 To: Present

Employment will be: ☒ Continuous ☐ Seasonal ☐ Sporadic (off and on as needed)

Please indicate the approximate number of hours worked per week: 20-30

Provide a description of the employee's duties and responsibilities: Applying window film to residential & commercial building + automotive vehicles

FFZ - this business was made aware of when my background packet was turned in for employment

Business/Agency Name: 10K Tint & PPF

Supervisor/Contact Person*: Myself - Owner

Business Address: 6901 Aurora St Bismarck ND 58103
Address City State Zip

Phone: (701) 237-1773

Supervisor
Initials

Employers of Bismarck Police Employees must agree to the following conditions:

TN

That all equipment necessary for the employee to perform his/her duties will be provided. Without prior approval, no property or equipment owned by, under the control of, or issued by the Bismarck Police Department will be used in association with this employment.

TN

That the Federal Fair Labor Standards Act will be complied with, and the Bismarck Police Employee will be provided Worker's Compensation coverage while employed with your agency.

TN

The employer of a Bismarck Police Employee will release him/her from their duties or obligations if he/she is needed to report back to the Bismarck Police Department under any circumstances.

Applicable N/A

TN

(Initial appropriate box)

If the employment involves the use of, or potential use of, police powers, the Bismarck Police Department and City of Bismarck will be held harmless to all civil and criminal liability for the actions of the employee during their employment with your agency.

Signature

Date

5/21/2024

BPD FORM 212

**For verification purposes and so outside employment activities can be monitored, the outside employer will be contacted annually by the Administrative Assistant to the Chief.*

City 0071



May 24, 2024

From: Dave Draovitch
Chief of Police

To: Officer Tyler Nord

Subj: Notice of Termination of Employment

During the fall of 2022, I learned that you had illegally dark window tint on your personal vehicle and that you were refusing to remove it after a supervisor told you that you had to remove it. Eventually I had to get involved before you agreed to remove the illegally dark tint.

On May 22, 2024, I read a memo LT Gardiner sent to DC Stugelmeyer in which he summarized talking to you about having illegally dark window tint on your personal vehicle. In the summary LT Gardiner also explains that you own a window tint business and that you have no problem putting on illegally dark window tint on a customer's vehicle because it's their choice to pay you to do so.

LT Gardiner's memo was very concerning to me, so I had much discussion with DC Stugelmeyer, LT Gardiner, City Attorney Combs, and HR Director Schmidt on how to proceed. After much discussion, we determined you have violated the following BPD General Orders:

2601.1.A.2 Conformance to traffic laws – Employees will obey all traffic laws of the state and any local jurisdiction in which the employee is present.

2601.1.A.34. Outside employment – Employees may engage in outside employment subject to the following limitations:

C) Permission to engage in outside employment must be granted prior to engaging in such employment. The department does not allow sworn personnel to be engaged in any secondary employment involving the actual or potential use of law enforcement authority. This does not include those assignments the department considers as "extra-duty" assignments, those are covered in General Order 2201 Section 26.

2601.1.A.34.e. - Approval may be denied or revoked if it appears that outside employment may/is:

2601.1.A.34.e.3 - Bring the department under criticism, embarrassment, disrepute, or where there is a conflict of interest or an appearance of a conflict of interest. **Rev. 02/2024 and;**

2601.1.A.34.e.5 - Potentially discredit the Bismarck Police Department or otherwise undermine the public trust and confidence of law enforcement or the legal system or anything not consistent with the Department and the City's policies and ethics. **Rev. 02/2024**

This is not the type of behavior I will accept from a BPD Officer.

Dave Draovitch, Chief of Police

Phone: 701-223-1212 • Fax: 701-355-1861 • 700 South 9th Street • Bismarck, ND 58504-5899
www.bismarcknd.gov • TDD 701-221-6820 • An Equal Opportunity-Affirmative Action Employer



I intend to terminate your employment with the City of Bismarck effective 48 hours after the date of delivery of this letter to you on May 24, 2024, in accordance with Ordinance 9-06-03. You will receive pay for scheduled duty time during the 48-hour period but will not be permitted to report to work.

You are instructed to have no contact with employees of the City of Bismarck during the 48-hour time period except for Human Resources staff and you are not permitted at any City location unless authorized by the City Administrator.

You are to turn in all city property, cell phone, keys, key fob(s), identification, and all other items belonging to the City of Bismarck immediately.

You should contact Human Resources for the detailed listing of the status of your benefits. This letter along with the supporting documents will be placed in your employment record.

As outlined in Municipal Ordinance 9-06-03, you have a right to an informal hearing with the Human Resources Director, the appointing authority and yourself and/or your representative, and an opportunity to be heard at that hearing prior to the termination upon request. The request shall be submitted to the Human Resources Director as soon as possible prior to the time of the termination.

You also have the right of appeal of this termination, upon your request within five days, to the Civil Service Commission as outlined in Municipal Ordinances 9-06-04. A copy of the appeal process is being made available to you.



DAVE DRAOVITCH
Chief of Police

dd

cc: DC Ziegler
DC Stugelmeyer
LT Gardiner
Personnel file
Human Resources
City Attorney

Dave Draovitch, Chief of Police

Phone: 701-223-1212 • Fax: 701-355-1861 • 700 South 9th Street • Bismarck, ND 58504-5899
www.bismarcknd.gov • TDD 701-221-6820 • An Equal Opportunity-Affirmative Action Employer



9-06-04. Appeal.

1. Within five business days after the effective date of suspension, demotion or termination and receipt of written notice of suspension, demotion or termination, issued pursuant to section 9-06-03, or written response to a grievance made pursuant to section 9-06-06(1), any official or civil service employee affected may appeal in writing to the civil service commission for a hearing. The written notice or written response shall contain a statement advising the employee of the right to a hearing upon request made within five days.
2. The commission, upon receiving notice of appeal, shall set a date for a hearing, which may not be less than seven nor more than sixty days after the date of the filing of the notice of appeal, unless otherwise ordered by the commission. Notice of the time and place of the hearing must be served upon the appealing official or employee or his/her legal counsel and upon the authority imposing the suspension, demotion, termination, or other action complained of, personally or by certified mail or to legal counsel by regular mail or to the legal counsel's registered e-mail address for service listed with the North Dakota Board of Law Examiners at least five business days before the date of the hearing.
3. The commission shall hear the appeal at the time set by it. The commission may hear the evidence and facts to be presented by the appealing official or employee and the authority imposing the suspension, demotion or dismissal, or other action complained of in any order it deems appropriate so long as all parties are given a full opportunity to be heard. The evidence of the parties may be through sworn testimony of witnesses or through exhibits introduced through sworn witnesses. After all parties have presented their evidence and have been given a full opportunity to be heard, the commission may call other persons or witnesses to ascertain the on which it deems proper.
4. After having completed the hearing and any investigation which it has chosen to undertake, the commission shall decide the appeal on its merits. The commission can fully uphold the discipline imposed upon the appealing official or employee. The commission can find that there was no just cause for the imposition of the discipline and it can reinstate the employee to the status held immediately prior to the discipline and restore to the employee any pay lost as a result. The commission can also find that it was proper to discipline the employee or official, but that the level of discipline imposed did not fit the offense committed. It may therefore impose upon the employee or official some lesser form of discipline. Or, the commission can issue its findings and an appropriate order with respect to an appeal of a grievance filed pursuant to section 9-06-06(1). In all cases the commission shall issue its written findings, conclusions and order within five days of the hearing. A hearing may be continued from time to time by the commission.
5. The commission shall also hear appeals under the procedures set forth above from any civil service employee or official aggrieved as a result of disciplinary action or from any employee or official who alleges discrimination due to race, color, creed, sex, age, marital status, national origin, or physical disability or other grievance relating to employment laws, rules, regulations or ordinances, or from any civil service employee regarding any other grievance relating to personnel matters. TITLE 9 30
6. A decision of the commission is final. (Ord. 4173, 12-08-87; Ord. 5130, 08-28-01; 6543, 04-11-23; Ord. 6567, 01-09-24)