WYOMING DEPARTMENT OF CORRECTIONS

Policy and Procedure #1.221
Position Management

Authority: Wyoming Statute(s): 25-1-104; 25-1-105	**Effective Date:** October 15, 2016 **Revision/Review History:** 08/05/15, 05/15/14, 05/01/14, 01/01/13
ACA Standard(s): 2-CO-1A-11-R; 2-CO-1C-05 through 2-CO-1C-07; 2-CO-1C-08; 2-CO-1C-13; 2-CO-1C-14; 2-CO-1C-15; 2-CO-1C-16; 4-4006- Revised; 4-4008; 4-4009- Revised; 4-4049; 4-4057-Revised; 4-4058; 4-4059; 4-4060	**Summary of Revision/Review:** Updates existing policy pursuant to annual review.
Cross Reference of Policy: P&P #1.005, *Organization & Delegation of Authority*; P&P #1.203, *Tuberculosis Risk Management: Correctional Facility Staff*; P&P #1.210, *Staffing, Work Schedules, and Recording of Hours Worked*; P&P #1.215, *Code of Ethics*; P&P #3.014, *Crisis Negotiation;* P&P #3.402, *Protection from Sexual Misconduct Against Offenders;*	**Supersedes Existing Policy :** Policy and Procedure #1.221, *Personnel Management*
Approved: R.O. Lampert Robert O. Lampert, Director	10-12-16 Date

DISCLAIMER: This policy and procedure does not constitute an employment contract or a guarantee of continued employment. The Wyoming Department of Corrections reserves the right to change the provisions of these guidelines at any time. Nothing in this policy and procedure limits the Director's authority to establish or revise human resource policy. This policy and procedure is adopted to guide the internal operations of the Wyoming Department of Corrections and does not create any legally enforceable interest or limit the Director's or designee's authority to terminate any employee, in accordance with the State of Wyoming Personnel Rules.

REFERENCE

1. **ATTACHMENTS**
   - **A.** WDOC Form #125, *Probationary to Permanent*
2. **OTHER**
   - **A.** *State of Wyoming Personnel Rules*, Department of Administration and Information, Human Resources Division
   - **B.** *State of Wyoming Compensation Policy*, Department of Administration and Information, Human Resources Division
   - **C.** *State of Wyoming Classification Specifications*, Department of Administration and Information, Human Resources Division

I. PURPOSE

A. Position Management Guidelines. The purpose of this policy and procedure is to provide uniform guidelines for the management of positions throughout the Wyoming Department of Corrections (WDOC).

II. POLICY

A. General Policy. It is the policy of WDOC to provide guidance for how the WDOC manages positions and ensure that the management practices are consistent with state and federal law; all policies, rules and regulations of the State of Wyoming, including but not limited to the *State of Wyoming Personnel Rules*; and professional best practice standards, including but not limited to those of the American Correctional Association.

III. DEFINITIONS

A. At-Will Employee Contract (AWEC): At-will employees of the State of Wyoming under contract to provide services to the Department in accordance with the State *Policy for At-Will Employee Contracts* and the provisions of the contract itself.

B. At-Will Employees: (*For this policy only.*) Those employees who have no expectation of continued employment may be dismissed at any time without cause or reason, including those staff appointed by and serving at the pleasure of the Governor or Director (executive, special appointments, and those designated as career service), probationary employees, temporary or seasonal employees, those employed pursuant to at-will contracts, attorneys, interns, and emergency employees.

C. A&I HRD: The Department of Administration & Information is the backbone of state government providing services to all branches of government through the divisions of Human Resources, General Services, Construction Management, Economic Analysis, Budget and State Library. HRD is the Human Resources Division with statutory responsibilities in the following areas: Provide for personnel hearings, support to the compensation commission, establish, administer and promulgate reasonable rules for personnel classification systems, compensation plans, applicant selection and recruitment systems, and performance appraisal systems.

D. Employee: (*For this policy only.*) A person working in and compensated by the Executive Branch of State Government, over which management has the

right to direct and control the way the person works, both as to the final results and as to the details of when, where and how the work is done.

E. **Full-Time Equivalent (FTE):** A unit of the workload of an employee that allows for comparison whereby 1.0 means that the person is equivalent to a full-time worker.

F. **Merit:** *(For this policy only.)* An employee whose achievements are deserving of recognition and value as demonstrated by their knowledge, skills, and abilities.

G. **Permanent Employee:** (*For this policy only.*) Positions which are funded and authorized by the Governor, consisting of a set of assigned tasks with defined boundaries of authority and responsibilities. These positions require an open recruitment to fill when vacant.

H. **Performance Management Instrument (PMI):** The official process utilized by the State of Wyoming to evaluate and recognize the professionalism of State employees through planning, coaching, and review of goals and competencies.

I. **Probationary Employee:** An at-will employee who has no expectation of continued employment and may be dismissed at any time without cause or reason.

J. **Promotion:** The selection of an employee having permanent or probationary status through a competitive recruitment process to a different position number with a different classification having a higher pay grade.

K. **Servicing Human Resources Office:** The office where documentation is processed and explanation is provided for insurance, retirement and optional benefits. The servicing human resource office maintains staff personnel files and assists with personnel issues as deemed necessary.

IV. PROCEDURE

A. **Classification of Positions.** Full-time equivalent positions (FTEs) and at-will employee contracts (AWECs) will be authorized by the Wyoming Legislature as a part of the biennial WDOC budget. Other Department personnel are independent contractors and not employees of the State of Wyoming. Department of A&I HRD has sole authority to classify and reclassify positions.

1. The organization of WDOC shall be as established in State law and WDOC Policy and Procedure #1.005, *Organization & Delegation of Authority*.

2. All WDOC personnel are classified by the State of Wyoming A&I HRD. AWECs, probationary employees, and positions classified within the at-will and executive occupational groups shall be considered at-will employees. All other employees shall be considered permanent employees. WDOC is not subject to any union or association contracts as Wyoming is a right-to-work state.

i. Job classification specifications shall be maintained by A&I HRD. These specifications shall outline the experience, education and education substitutes for position qualifications. (ACA 2-CO-1C-07)

ii. All positions in the WDOC shall have written job descriptions and job qualifications that are reviewed annually to ensure that organizational objectives are being met. (ACA 2-CO-1C-08)

a. Administrators are responsible for ensuring that review of the job classifications are completed annually. As a result of the review a memo will be submitted to the Director with any recommendations for modifications of the job descriptions.

3. Each WDOC division, facility, and office shall be structured to operate within carefully controlled FTE levels governing the organizational structure and shall maintain classification integrity.

i. Assignment of new tasks or realignment of tasks from one position to another shall be assigned to existing positions of similar content to eliminate or reduce the possibility of positions being reclassified to a higher grade than funding is authorized.

ii. Management should work through their human resources office to determine appropriate classification for assignments.

4. **Reclassification.** A reclassification is the movement of a position from one classification to another when the core functions of the job have permanently changed. Reclassifications may not be based on the individual characteristics, performance level of the employee occupying the position or upon other information not pertinent to the position or classification.

i. Requests for position reviews for reclassification may be submitted by the agency or employee.

ii. Employees must submit a written request for review and an updated JCQ to their CEO and servicing human resources office.

iii. HR will coordinate with A&I HRD to process the classification review.

iv. As outlined in chapter 4 of the Wyoming State Personnel Rules, employees who are not satisfied with the classification review may submit a written request for reconsideration by a classification review panel.

v. If the position is reclassified, employees shall submit an updated application for review and determination that the employee meets the minimum qualifications of the reclassified position.

5. **Reassignment.** Employees requesting reassignment to a vacant position to a different classification must apply for the position. In instances of poor work performance or agency reorganization, employees may be involuntarily reassigned to a position in a lower classification that they meet the minimum qualifications for. All reassignments must be processed through the servicing human resource office and in accordance with the State of Wyoming Personnel Rules.

B. Appointed Personnel

1. In accordance with Wyoming law, the director shall be appointed by the Governor, such appointment being subject to the approval of the Senate. The Director shall appoint a deputy director, division administrators, deputy administrators, wardens, deputy wardens, human resources manager, and any other positions so designated by the legislature as at-will appointments.

2. Each WDOC correctional facility shall be headed by a warden, appointed by the Director, who shall be in charge of all inmates, personnel, volunteers, programs, and activities connected with the facility. (ACA 4-4006- Revised)

3. The qualifications, authority, and responsibilities of the wardens of WDOC correctional facilities and other appointed personnel shall be specified in writing by statute and/or State of Wyoming job classification specifications. (ACA 4-4008)

i. To be considered qualified, a warden or other appointed personnel at a minimum must possess the following: (ACA 4-4009- Revised; 2-CO-1A-11-Revised)

a. A bachelor's degree from an accredited university in an appropriate discipline;

b. Five (5) years of related administrative experience; and

c. Demonstrated administrative ability and leadership.

d. The degree requirement may be satisfied by completion of a career development program that includes work-related experience, training, or college credits at a level of achievement equivalent to the bachelor's degree.

ii. The essential functions, knowledge required, and minimum qualifications for all WDOC positions shall be as specified in the State of Wyoming job classification specifications.

C. Selection and Promotion of Positions

1. All WDOC personnel shall be selected, retained, and promoted on the basis of merit and specified qualifications. (ACA 4-4057-R; 2-CO-1C-13)

i. New employees shall receive credit for their prior training when considering qualifications related to the skills needed to perform the work.

ii. Procedures and requirements for promotions for post-certified staff are outlined in WDOC Policy and Procedure #1.225, *Promotional Process for POST Certified Positions*.

2. WDOC personnel practices shall provide for lateral entry as well as promotion from within the system. (ACA 4-4058) Anyone with the required education, experience, and background shall be eligible for consideration for a position at the level which he or she is qualified. Lateral entry and promotion shall be allowed in accordance with the *State of Wyoming Personnel Rules* and WDOC Policy and Procedure #1.224, *Employee Transfers,* with preference for the best qualified candidate.

3. Where professionals, paraprofessionals, and others are employed, there shall be established career lines for their advancement and guidelines provided for staff supervision. (ACA 2-CO-1C-14)

D. **Probationary Term.** In accordance with the *State of Wyoming Personnel Rules*, new employees in non-at-will positions shall be appointed initially for a probationary term of one (1) year. (ACA 4-4059; 2-CO-1C-15) A probationary employee shall be considered an at-will employee who has no expectation of continued employment and may be dismissed at any time during the probationary period without cause or reason.

1. Upon completion of the probationary period supervisors shall complete WDOC Form #125, *Probationary to Permanent*, and submit the form to the designated HR representative, the probationary employee shall be permanently appointed in accordance with the *State of Wyoming Personnel Rules*.

E. **Emergency and Temporary Appointments.** WDOC may provide for emergency/temporary appointments of qualified individuals to ensure short-term personnel, both full-time and part-time, can be available during emergencies and in other temporary situations, as provided by the *State of Wyoming Personnel Rules*. (ACA 4-4060; 2-CO-1C-16) A temporary employee is an at-will employee who has no expectation of continued employment and may be dismissed at any time without cause or reason.

1. **Emergency appointment.** An emergency appointment shall not last for more than thirty (30) days.

2. **Temporary appointment.** A temporary appointment shall not last for more than nine (9) months.

V. TRAINING POINTS

A. TRUE OR FALSE: WDOC's personnel procedures and practices shall adhere to the *State of Wyoming Personnel Rules* and any state policies pertinent to the rights and responsibilities of employees, supervisors and applicants for employment.

B. How are employees classified?

C. How long is the probationary period for new employees?

D. TRUE OR FALSE: All employees are able to submit for reclassification.