Policy and Procedure #1.224

Employee Transfers

Authority: Wyoming Statute(s): 25-1-104; 25-1-105 ACA Standard(s): 4-4058	**Effective Date:** October 15, 2016 **Revision/Review History:** 12/28/15, 09/01/14, 08/23/13, 08/20/12 **Summary of Revision/Review:** Updates existing policy pursuant to annual review.
Cross Reference of Policy:	**Supersedes Existing Policy:**
Approved: R.O. Lampert — 10-12-16 Robert O. Lampert, Director — Date	

REFERENCE

1. **ATTACHMENTS –**

   A. WDOC Form # 126, *Transfer Request Form*

2. **OTHER – None Noted**

I. PURPOSE

A. Lateral Transfer of Employees. The purpose of this policy and procedure is to establish a mechanism to manage the staffing needs of the Wyoming Department of Corrections (WDOC) by allowing employee movement through lateral transfer while maintaining stability in all WDOC correctional facilities and field offices. This will afford current staff the opportunity to laterally transfer to available positions before a competitive recruitment is opened.

II. POLICY

A. General Policy. It is the policy of the WDOC to provide for lateral entry as well as promotion from within the Department. (ACA 4-4058).

B. Movement within the Same Job Classification. It is the policy of WDOC to provide increased opportunities for staff members to enhance their professional development. These opportunities exist through the opening of positions at facilities and field offices through lateral transfer of existing staff to other locations. This policy establishes guidelines and procedures for staff movement to positions within the WDOC within the same job classification in accordance with the State of Wyoming Personnel Rules, Chapter 2, Section 9 (l) (iii) *Lateral Reassignment*.

1. Pursuant to the State of Wyoming Personnel Rules, Chapter 2, Section 9 (l)(iii)(A) this policy must be reviewed and approved by A&I Human Resources Division.

C. Management of Staffing Needs. It is the policy of WDOC to be sensitive to the individual employee's preferences as to assignment, while insuring that all other work sections and facilities continue to operate in a safe and effective manner.

III. DEFINITIONS

A. Chief Executive Officer (CEO): A CEO is identified, but not limited to, the following positions: Director, Deputy Director, division administrators, deputy administrators, wardens, district managers, adult community corrections coordinator, and adult community corrections directors.

B. Director: The individual appointed by the Governor as Chief Administrative Officer of the Wyoming Department of Corrections, pursuant to W.S. § 9-2-1706.

C. **Employee:** (*For this policy only.*) Wyoming Department of Corrections' staff members.

D. **Lateral Transfer:** (*For this policy only.*) The voluntary reassignment of an employee from one physical WDOC location and position number to another physical WDOC location and position number in the same job classification.

E. **Servicing HR Office:** The office in which payroll is normally distributed and staff personnel files are maintained for each facility or field office.

F. **Seniority:** (*For this policy only.*) A staff member's level of experience based on time in classification.

IV. PROCEDURES

A. Eligibility for Transfers

1. **Position Eligibility.** Only positions classified in pay grade "M" or lower are eligible for lateral transfer under the provisions of this policy.

2. **Minimum Staffing Levels.** Staffing levels at the location where the employee is assigned at the time of the transfer request may not drop below that required for safe and effective operations, as a result of a lateral transfer to another WDOC facility or location.

i. For POST-Certified positions, total staffing levels must be at 85% (all security positions) or better at their current facility.

ii. For non-POST-Certified staff selected for lateral transfer, the date of physical transfer shall be as determined by the CEOs of both facilities and locations. The date of physical transfer may be delayed until the first day of the calendar month following the hiring of a replacement for the position to be vacated as the result of the approved transfer if staffing and work load needs require.

3. **Staff Eligibility.** In order to be eligible for a lateral transfer, the staff member must meet the following criteria: be a permanent employee; have no formal discipline in the last twelve (12) months; and must have PMI overall ratings of Meets Expectation, Commendable or Superior on their most recent PMI.

i. Staff requesting transfers must not have pending criminal proceeding, be under investigation, or be on supervised or unsupervised probation.

B. **Transfer Procedure.** Upon approval to fill a qualified vacant position, the servicing HR office will announce the transfer opportunity, typically through e-mail, and allow eight (8) calendar days for notification of interest.

1. Staff who qualify for transfer and are on protected leave (*i.e.* FMLA and military leave) will be contacted directly from HR and advised of the transfer opportunity.

2. If no interest for transfer is received, or the position is not filled via transfer, the servicing HR office will prepare an open, competitive recruitment as outlined in Policy and Procedure #1.226, *Recruitment, Selection & Onboarding for WDOC Employees*.

3. Eligible staff (herein referred to as Candidates) interested in a lateral transfer must complete WDOC Form #126, *WDOC Transfer Request Form* and submit completed forms to the servicing HR office by the announced deadline.

4. The servicing HR office will complete "Step 1" on WDOC #126, *Transfer Request Form,* and submit the form to the CEO within five (5) working days of receipt.

5. The CEO of the current location or facility will review and make a recommendation for approval or denial. The CEO may consult with any staff deemed necessary for determination of recommendation. This review and determination shall be documented under "step 2" on WDOC Form #126, *WDOC Transfer Request Form*.

i. Approvals will be submitted to the servicing Human Resource office for routing.

ii. Denials will be forwarded to Central Office Human Resources for processing. Central Office Human Resources will forward the request to the appropriate division administrators (*i.e.*, if the request is within the prison division then the form will be forwarded to the Prison Division Administration; if the request is within field services then the form will be forwarded to Field Services Administration, etc.)

6. Once a transfer request is approved by the CEO at the current facility/ location ("step 2"), the requested facility/location HR Manager will

contact the transfer candidate to schedule a tour and interview at the employee's expense. For field services, the manager may allow a phone interview and not require the transfer candidate to tour the office and interview in-person.

i. A transfer interview is not considered hours worked. Employees scheduled to work on the day of the interview must request the use of available annual leave. Use of a State car is not authorized for this purpose.

ii. Upon completion of the interview the assigned CEO will make a recommendation for transfer by completing "step 3" on WDOC Form #126, *WDOC Transfer Request Form* and submit the form to Central Office Human Resources for processing.

7. Central Office Human Resources will forward the request to the appropriate division administrators (*i.e.*, if the request is within the prison division then the form will be forwarded to the Prison Division Administration; if the request is within field services then the form will be forwarded to Field Services Administration, etc.)

8. The division administrator will complete "step 4" on WDOC Form #126, *WDOC Transfer Request Form*. After review from the division administrator the request will be forwarded to the Director for final decision.

a. The Director has authority to make exceptions to transfer requests which are denied (generally based on documented hardship or for compassionate reasons.)

b. If the Director makes an exception, the process will continue as if it were an approval.

c. If the Director upholds the denial, the employee will be notified by the CEO or the servicing HR office.

9. Candidates will be notified by the receiving CEO or the servicing HR office of the final decision.

a. If the candidate is selected, the sending and receiving CEOs shall determine the date of physical transfer based upon position availability, along with any necessary lead time required for cross-training, facility preparation, etc. The receiving HR office will ensure the employee and the

sending HR office are notified of the approved transfer date.

i. Transfers will occur no later than sixty (60) days from the date of final approval. Extensions may be authorized by the Director.

C. **Correctional Officer Lateral Transfer List.** The servicing HR office shall maintain a list of denied transfer requests, if the denial was due to staffing levels. Those placed on the list will be notified first of a transfer opportunity when staffing levels allow.

1. Placement on the list shall be based on date requested transfer and will be processed by the oldest date first.

2. Correctional officers still interested in the transfer will still be required to submit a new transfer request for processing.

3. The Correctional officer list will only apply to COPR05 (correctional officer) classifications. All other transfer requests will be considered through announcement of vacancy.

D. **Moving Expenses.** Persons selected for lateral transfer are not entitled to moving expenses or relocation assistance. The costs of relocation are the responsibility of the requesting employee.

E. **Additional Transfers.** Additional transfer requests will not be accepted until completion of twenty four (24) months of service at the new location from the date of transfer.

1. Any exceptions to this requirement must be approved by the director.

V. TRAINING POINTS

A. FILL IN THE BLANK: Only positions classified in pay grade ___ or lower are eligible for lateral transfer under the provisions of this policy.

B. What criteria must staff meet in order to be eligible for transfer?

C. If more than one transfer request is received, interviews will be conducted based on what?

D. TRUE OR FALSE: The Department will reimburse employees for their relocation/moving expenses.