

	DEPARTMENT OF PUBLIC SAFETY DEPARTMENT ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: MAR 17 1998	POLICY NO.: ADM.03.36
		SUPERSEDES (Policy No. & Date): COR.03.11 1/26/98	
	SUBJECT: ADULT CORRECTIONS OFFICER (ACO) REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION		Page 1 of 5

#98-44481

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1.0 PURPOSE

To establish guidelines governing Adult Corrections Officer (ACO) requests for transfer/voluntary demotion.

2.0 REFERENCES AND DEFINITIONS

2.1 REFERENCES

a. Hawaii Revised Statutes

1. Section 76-1, HRS, Merit Personnel System
76-22.5, HRS, Recruitment Flexibility
76-18, HRS, Examinations, General Character
76-27, HRS, Probationary service and other requirements for membership
2. Chapter 26-5, Department of Human Resources Development
26-14.6, Department of Public Safety
26-38, Powers and duties of heads of departments
26-39, Department staffs

b. Title 14, Administrative Rules, Subtitle 1, State of Hawaii Personnel Rules, Chapter 3.03 Non-Competitive Movements, 14-3.03-1 Transfers, 14-3.03-4 Voluntary Demotions.

c. First Consideration Policy - Department of Human Resources Development, December 15, 1992, revised November 28, 1994.

d. Applicable provisions of collective bargaining agreements.

e. Department of Public Safety Policies and Procedures - Filling of Vacancies.

2.2 DEFINITIONS

a. Demotion - means a movement of a regular employee from the position in which the employee last held permanent appointment to another position:

1. Which is assigned to a class with a lower pay range in the same salary schedule; or

PSD P&PM	SUBJECT:	POLICY NO.: ADM.03.36
	ADULT CORRECTIONS OFFICER REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	EFFECTIVE DATE: MAR 17 1998
		Page 2 of 5

NOT CONFIDENTIAL

2. Which is assigned to a class with a lower maximum rate of compensation in a different salary schedule and the dollar difference between the two maximum rates is more than the dollar difference between the minimum and second step of the former pay range; provided that, a rate of five percent more than the minimum rate of the range shall be deemed to be equivalent to the second step in the EM schedule; provided further, that a rate of ninety-five percent of the single rate pay range shall be deemed equivalent to the minimum or first step of the pay range.
- b. Internal Vacancy Announcement (IVA) - A recruitment notice announcing the acceptance of applications for a class or position. Such recruitments are restricted to regular employees of the Department of Public Safety (PSD) in the Executive Branch.
 - c. Intra-Departmental Competitive Promotion - means a recruiting notice announcing the receipt of applications for participation in an examination for positions in a particular class, admission to which is limited to regular employees of a particular state agency in the executive branch. This recruitment is conducted by the Department of Human Resources Development (HRD).
 - d. Non-Competitive Movement - A movement effectuated without the use of a competitive eligible list prepared by HRD. Non-competitive movements include promotions, demotions, and transfers.
 - e. Regular Employee of PSD - means an employee who has been appointed to a position in the civil service in accordance with chapter 76, Hawaii Revised Statutes, and who has successfully completed the employee's initial probational period with PSD, or as provided by statute.
 - f. Transfer - means a movement of a regular employee from the position in which the employee last held permanent appointment to another position which is assigned to a class:
 1. With the same maximum rate of compensation; or
 2. In a different salary schedule:

PSD P&PM	SUBJECT:	POLICY NO.: ADM.03.36
	ADULT CORRECTIONS OFFICER REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	EFFECTIVE DATE: MAR 17 1998
		Page 3 of 5

NOT CONFIDENTIAL

(A) With a higher maximum rate of compensation, and the dollar difference between the two maximum rates is less than or equal to the dollar difference between the minimum and second step of the former pay range; or

(B) With a lower maximum rate of compensation, and the dollar difference between the two maximum rates is less than or equal to the dollar difference between the minimum and second step of the former pay range; provided that, a rate of five percent more than the minimum rate of the range shall be deemed equivalent to the second step in the EM schedule; provided further, that a rate of ninety-five percent of the single rate of a salary schedule with a single rate pay range shall be deemed equivalent to the minimum or first step of the pay range.
[Effective Jun. 11, 1992] (Auth: HRS SS26-5, 76-17) (Imp: HRS SS26-5, 76-13, 76-17, 76-35, 76-36)

3.0 POLICY

It is the intent of the Department to provide the best service possible in the area of corrections and the operation of its correctional facilities. To accomplish this, the department will set limitations on intra-departmental non-competitive transfers or voluntary demotions. The objectives of these limitations are:

- a. To develop and retain competent employees in the PSD;
- b. To reemphasize the merit principles of building a career service in corrections;
- c. To maximize the efficiency and effectiveness of each correctional facility's limited staffing by fully developing their assigned ACOs for a minimum three-year appointment at the facility where the employee's initial or new probationary appointment began;
- d. To ensure that all ACOs receive proper training and ongoing job performance evaluations at their respective assigned correctional facilities;
- e. To encourage newer ACOs to develop their knowledge, skills, abilities, and personal characteristics in corrections as a profession and career;
- f. To provide each correctional facility with a stable Security Operations section where ACOs are fully trained, skilled in security, problem solving, protecting inmates, employees and the general public; and
- g. To minimize disruptions to program operations caused by frequent staff turnover and/or loss when new ACOs elect to transfer to another correctional facility while still being trained.

PSD P&PM	SUBJECT:	POLICY NO.: ADM.03.36
	ADULT CORRECTIONS OFFICER REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	EFFECTIVE DATE: MAR 17 1998
		Page 4 of 5

NOT CONFIDENTIAL

4.0 PROCEDURES

To promote stability of security operations at the facilities, a minimum of three (3) years appointment is required as an ACO at the facility where the employee's initial or new appointment began. This time requirement encourages newer ACOs to develop their knowledge, skills, and abilities at their initial facility while providing that facility with a stable Security Operations Section. Stability means establishing a fully trained security section that is skilled in problem solving, protecting inmates, employees, and the public.

- a. Chiefs of Security (COS) and subordinate Line supervisors will notify/inform all initial probation and regular ACOs of this policy.
- b. An ACOR/ACO III may apply to fill a vacancy through the Internal Vacancy Announcement (IVA) process as prescribed in Department of Public Safety Policies and Procedures - Filling of Vacancies at the conclusion of the three year period.
- c. Requests for transfer due to hardship circumstances will be reviewed by the Director. Decisions to allow a transfer under these conditions will be made on a case-by-case basis at the Director's discretion. Requests must be made in writing to the Deputy Director of Corrections through the chain of command. (see "Transfers" P&P)

5.0 RESPONSIBILITIES

- a. Selection Interview Panel - Responsible for informing prospective ACOs of this three-year, no-transfer policy for initial and/or new probational hires. The terms must be accepted as a condition of employment by the prospective ACO.
- b. Personnel - Staffing and Technical Services (PER-STTS) - Responsible for reviewing and processing Non-Competitive movements i.e. transfers, and voluntary demotions on a timely basis.
- c. Division Administration and Wardens - Responsible for supporting and enforcing this P&P and ensuring that line and staff members are informed of any changes or modifications to the policy and/or procedures.

PSD P&PM	SUBJECT:	POLICY NO.: ADM.03.36
	ADULT CORRECTIONS OFFICER REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	EFFECTIVE DATE: MAR 17 1998
		Page 5 of 5

NOT CONFIDENTIAL

- d. Chiefs of Security (COS) and subordinate Line Supervisors - Responsible for reproducing and disseminating this P&P to all initial probation and regular ACOs in all facilities and posting copy(s) in common areas.
- e. Applicant - Responsible for understanding and abiding by this policy and procedure.

6.0 SCOPE

These policies and procedures are applicable to all Adult Corrections Officers in the Department of Public Safety.

Approval Recommended:


 Deputy Director for Administration 03-05-98
Date

Approval Recommended:


 Deputy Director for Law Enforcement 3-9-98
Date

Approval Recommended:


 Deputy Director for Corrections 3/11/98
Date

Approved:


 Director 3/17/98
Date