

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Filling A Vacancy

Policy Number: 104.09

Effective Date: 5/25/2022

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Authority:
Commissioner

Originating Division:
Administration & Finance
Division (Human Resources)

Access Listing:
Level I: All Access

I. Introduction and Summary:

The Georgia Department of Corrections (GDC) will select qualified applicants to fill vacant positions in accordance with applicable laws and policies. All employment relationships commencing on or after July 1, 1996, are at will in nature, meaning that the employment may be altered or terminated at any time.

Appointing Authorities shall ensure that the entire interview and selection process is conducted in accordance with applicable state and federal laws, State Personnel Board Rules (SPBR) and Department policies and procedures.

NOTE: Excluded Jobs - This procedure shall not apply to certain positions designated by the Commissioner.

II. Authority:

A. 34 U.S.C. § 30301, *et seq.*;

B. O.C.G.A.: § 45-20-4;

C. Ga. Comp. R. & Regs.: 478-1-.06, 478-1-.10, 478-1-.15, 478-1-.18, and 478-1-.24;

D. Ga. Comp. R. & Reg.: 125-2-1-.02;

E. GDC Standard Operating Procedures (SOPs): 104.10 Certifying a Peace Officer, 104.29 Salary Regulations, and 104.25 Transfers-Internal and From Other Agencies; and

F. ACA Standards: 2-CO-1C-01, 2-CO-1C-13, 2-CO-1C-14, 1-CTA-1C-01, 1-CTA-1C-04, 1-CTA-1C-05, 1-CTA-1C-06, 5-ACI-1C-08, 5-ACI-1C-10, 5-ACI-1C-11, 4-ACRS-7B-04, 4-ACRS-7E-06, and 4-ALDF-7B-01.

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III. Definitions:

- A. **Applicant** - Any person who has submitted an application/resume in accordance with the provisions of this procedure.
- B. **Appointing Authorities** - Individuals specifically designated by the Commissioner to make decisions that directly affect the status of persons employed by the agency.
- C. **Classified Employee** - An employee with procedural appeal rights set forth in O.C.G.A. §§ 45-20-8 and 45-20-9 who was in a classified position on June 30, 1996 and has remained in a Classified Position without a break in service since that date.
- D. **Classified Position** - A position that existed on June 30, 1996, held classified status on that date, and has not been occupied by an unclassified employee since that date.
- E. **Demotion** - The movement of an employee to a job on a lower pay grade within the same compensation plan. When moving between two different pay plans, a pay grade is deemed lower when its market average or midpoint salary is five percent (5%) or more below the market average or midpoint of another pay grade.
- F. **Minimum Qualifications** - Formal statements of the types, amounts and/or levels of work experience, training and education and such other personal attributes as are deemed necessary both for minimally satisfactory job performance and for the accomplishment of other goals. Any Applicant who does not possess all of the Minimum Qualifications for a position will be disqualified from consideration for selection for that job.
- G. **Preferred Qualifications** - Statements of the types, amounts and/or levels of work experience, training and education and other personal attributes that would reasonably indicate that the Applicant could perform job duties at well above the minimally acceptable level. A person with Preferred Qualifications could reasonably be expected to perform both a wider variety and a higher level of job responsibilities at the time of hire than the minimally qualified Applicant.

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- H. **Promotion** - The movement of a qualified employee to a job on a higher pay grade within the same compensation plan. When moving between two different pay plans, a pay grade is deemed higher when its market average or midpoint salary is at least five percent (5%) greater than the market average or midpoint of another pay grade.
- I. **Reinstatement** - The re-employment of a qualified individual who was laid off or demoted because of an approved Reduction-In-Force Plan. Reinstatements are processed by Corrections Human Resources Management (CHRM) under the authority of the Director, Human Resources.
- J. **Selection Board** - Any number of interviewers greater than one, with a designated Chairperson, who conducts interviews and makes a recommendation to the Appointing Authority for filling a Vacancy.
- K. **Transfer** - The movement of an employee from one position to another position in either the same job or a different job on the same pay grade in accordance with SOP 104.25, Transfers-Internal and From Other State Agencies.
- L. **Unclassified** - Employment-at-will and includes all employees except those in the Classified Service.
- M. **Unit** - A team of employees that have been assigned to accomplish specific tasks. This can also refer to a physical location such as an office space or other work areas.
- N. **Vacancy** - An unfilled or unoccupied position that has been properly allocated (as provided by State Personnel Board Rule 478-1-.06). A position may also be treated as a vacant during the period of a properly approved leave (unpaid and long-term, i.e., Military or Contingency leave) granted to the incumbent, or when an established position is to become vacant in the near future (i.e., retirement, resignation, etc.).

NOTE: The Director of Human Resources must approve the filling of any position in which the current incumbent is on an approved unpaid leave.

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IV. Statement of Policy and Applicable Procedures:

A. Vacancies are announced on the Department's Employment website (www.GDCJobs.com). The status (classified/unclassified) of the position must be entered on the electronic Request Vacancy Announcement Form used to post jobs to www.GDCJobs.com.

NOTE: Certain positions are excluded from this process at the discretion of the Director, Human Resources.

1. Any Vacancy of a Classified Position may be filled by Reinstatement, Promotion, Transfer, Demotion, or relocation of function of a Classified Employee and will remain classified. A Classified Position may be filled by an Unclassified employee; however, the position will become Unclassified permanently.
2. Any Vacancy of an Unclassified position may be filled by an employee; however, the status of the job will remain unclassified even if filled by a previously Classified Employee.

NOTE: An employee in the Classified Service that accepts an Unclassified position will then become Unclassified permanently.

3. All new hires are in the Unclassified service.

B. Announcing the Vacancy (GDC Field Locations):

1. All GDC field locations must submit an electronic request to fill a Vacancy through the www.GDCJobs.com website. The link is located on the Georgia Department of Corrections Intranet (Captiva).
2. A member of the CHRM Employment Services Unit will review and approve all requests submitted to www.GDCJobs.com. Once approved, the Vacancy will

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be placed on the GDC Jobs website. A time period of two (2) weeks is the recommended period to advertise a Vacancy on this site, with a minimum three (3) business days for re-announcements; however, the Appointing Authority making the request will determine the length of the announcement period.

3. An alternative advertisement resource, in addition to www.GDCJobs.com, may be utilized to obtain an adequate Applicant pool if the Vacancy requires candidates with unique or specialized credentials who typically are not drawn to www.GDCJobs.com or if an insufficient pool of Applicants is gathered from the initial positing of the Vacancy on www.GDCJobs.com. The Appointing Authority/Designee should consult the CHRM Employment Services Unit if alternate resources are needed.

C. Announcing the Vacancy (Central Office Locations):

1. Appointing Authorities at Central Office must submit a request to announce a Vacancy to CHRM Employment Services Unit via e-mail EmploymentServices.Personnel@gdc.ga.gov to Recruitment.
2. A member of the CHRM Employment Services Unit will review and approve all requests and enter the Vacancy into GDCJobs.com.

D. Applying for a Vacancy:

1. Applicants shall send their applications or resumes to the attention of the contact person listed on the announcement via email, fax, physical mailing address, or in person within the application period indicated in the announcement.
2. Applicants also may apply for a Vacancy through www.careers.ga.gov if the position is posted on that website.
3. Applications received after the closing date will not be accepted.

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4. Applicants may also contact the Department Representative to ask questions about the Vacancy or application process.

E. Reviewing Applicant Qualifications - For all Positions:

1. Appointing Authorities/Designees must review all Applicant qualifications. There are additional requirements for hiring Correctional Officers and Certified Law Enforcement Officers/Office of Professional Standards (OPS). (See IV.G).
2. Those Applicants who do not possess the required Minimum Qualifications at the time the application is submitted will not be considered or interviewed. A further review of all minimally qualified candidates may be done to screen Applicants based on the Preferred Qualifications for the job. All Applicants who qualify under this Preferred Qualification screening procedure should be offered the opportunity to be interviewed (i.e. all candidates with Preferred Qualifications, all with one particular Preferred Qualification, all with multiple Preferred Qualifications, etc.).
3. Upon completion of the interview process, the Appointing Authorities/Designees must request the official Minimum Qualification certification for the selectee only by submitting a request to the CHRM Job Evaluation Unit.
4. It is the Appointing Authority's/Designee's responsibility to verify the Applicant's stated qualifications (e.g. work history, education, etc.) prior to making a selection.
5. The Appointing Authority/Designee shall ensure the Applicant is properly notified of the requirement to disclose any prior disciplinary history involving substantiated allegation of sexual abuse. Applicants will confirm notification of this requirement by completing the Applicant Verification Form (Attachment 4). Material omissions and false information presented by Applicants may cause the candidate to be subject to dismissal and/or disqualification from employment.

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6. CHRM will review Minimum Qualifications for Applicants or selectees for hourly positions prior to selection.

F. Considering the Applicants:

1. Applicants may be considered for a Vacancy through the following process:
 - a. By review of their application and background data;
 - b. Through interviews conducted by a designated individual(s);
 - c. Through the use of structured interviews and written ratings of qualified Selection Boards; and/or
 - d. Through reference checks conducted by the hiring manager/designated individual via completion of Attachment 5, Professional Reference Check.

NOTE: Reference checks shall include: (1) Any disciplinary actions issued during employment and (2) Any substantiated sexual abuse allegations and actions taken.

2. If no application/resume meets the Minimum or Preferred Qualifications, or if none of the interviewed Applicants are deemed appropriate selections for the position, the designated Appointing Authority should contact CHRM to request re-announcement of the position.

G. Additional Requirements:

1. Correction Officers: All Applicants must take the P.O.S.T. Entrance Exam. This test must be taken before the Applicant can apply for any Correctional Officer Vacancy. Instructions for taking the test are listed under the Testing menu or under Career Information on the www.GDCJobs.com website. Information on testing requirements and locations is also provided on the site.

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2. Sworn/Peace Officer Standards and Training Council (P.O.S.T.) Certified Law Enforcement Officers for GDC/OPS:
 - a. All non-P.O.S.T. certified Applicants for OPS sworn positions must take and pass an OPS administered Physical Abilities Test to advance to the interview phase of the selection process. The Physical Abilities Test is waived for all P.O.S.T. certified OPS sworn Applicants.
 - b. All OPS Applicants selected for a sworn position must take and pass a pre-employment polygraph examination, a psychological examination, and a thorough OPS background investigation.
 - c. All non-certified Applicants selected for an OPS sworn position must complete a Georgia Public Safety Training Center basic law enforcement academy to become P.O.S.T. certified.
 - d. All OPS sworn personnel must complete a GBI/GDC basic agent class.

H. Evaluating the Results of the Interview:

1. Each Applicant will be evaluated using the same criteria on Attachment 1, Confidential Interview/Evaluation Form. Each interviewer must complete a form for every Applicant interviewed. The forms must be maintained as part of the Selection Package, along with all applications received for the Vacancy and other pertinent paperwork.
2. Attachment 1, Confidential Interview/Evaluation Form will be used as the Department-approved rating sheet; however, the Appointing Authority/Designee may devise and use an alternate/equivalent form, if approved by the Director, Human Resources.
3. Selection criteria and interview questions must be documented prior to scheduling interviews or screening Applicants. The criteria must be job-related

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or based on a legitimate business necessity. Interview questions must be based on selection criteria applicable to the job. The established criteria and interview questions must be applied equally to all Applicants.

4. It is not required that an Applicant be granted an interview for the same Vacancy if:
 - a. The Applicant has been interviewed for a Vacancy within the posted location and was not considered, then another position becomes vacant within the same location, same position title within 45 days, then the Appointing Authority can decide to use the same Applicant pool that was used for the initial Vacancy.
 - b. The Applicant is interviewed but not considered for the Vacancy, then the Applicant cannot be considered for a current Vacancy, same title, without being interviewed if it is outside of 45 days.
5. A manager may select an Applicant from a prior interview pool if he or she has another Vacancy for the same job code within 45 days of closing a position.
6. The Appointing Authority will designate an individual(s) to conduct interviews. The individual(s) must have knowledge of the Vacancy's requirements. If the Appointing Authority elects to use a Selection Board, the Appointing Authority must appoint a Chairperson and one or more additional members. Any person who is selected to participate as an interviewer or evaluator must be in a position that is at or above the pay grade of the Vacancy for which the interviews are being conducted. The Selection Board should be racially and gender diverse, if possible.
7. Each interviewer will select a numerical score to rate the Applicant's answers to each interview question. On completion of the interviews, a total score for each Applicant will be calculated and recorded at the top of the form.

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8. After all scores have been tabulated, the Chairperson of the Selection Board will complete Attachment 2, Confidential Selection Summary Sheet listing each Applicant (in descending order) according to the total score received.
9. The Confidential Selection Summary Sheet, along with the interviewer rating sheets, applications, and other pertinent paperwork will be forwarded (by the Chairperson) to the Appointing Authority for use in the final steps of the selection process.

NOTE: The completed Attachment 3, Job Preview Form for the final Correctional Officer selectee(s) must be forwarded to CHRM with the employee hiring package.

I. Making the Final Selection:

1. The Appointing Authority will consider Applicants in rank order based on Attachment 2, Confidential Selection Summary Sheet.
2. An Appointing Authority who disagrees with the results of the selection process must contact the Department Human Resources Director.
3. The Appointing Authority should agree with the final selection.

J. Completing the Hiring Process:

1. When a job offer has been made and accepted, the Appointing Authority/designee must complete the Employee Hiring Package and forward it to the assigned CHRM Personnel Technician by the established cutoff dates for the pay period.
2. The Employee Hiring Package is available on www.GDCJobs.com, New Employee Resource Center.

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3. Appointments to fill vacancies are effective on the first work day of the pay period.
4. The Appointing Authority/designee will inform all non-selected Applicants within a reasonable period of time of the final approval of another candidate. It is recommended that the Appointing Authority/designee also notify individuals who lacked the minimum qualifications for the job and were not interviewed.
5. Due to the large volume of applications for some jobs, there may be variation in the notification process. No Applicant will be advised of their rank order in the evaluation process, nor will individuals make unauthorized disclosures about the Selection Process.

K. Filing and Reviewing Selections for Compliance:

1. Selections may be reviewed to ensure that there was no unlawful discrimination based on race, color, sex, age, religion, national origin or disability.
2. Any allegations involving unlawful discrimination or other prohibited actions in the hiring process should be reported to the Director, Human Resources.
3. All applications and confidential rating sheets must be kept in a Selection Package on file at the hiring location for a period of two (2) years. This documentation should not be forwarded to CHRM unless requested. A CHRM Audit Team may examine the documents as necessary. However, these files are not subject to inspection by Applicants.

L. Hiring and Promotion:

1. GDC shall not hire or promote anyone who may have had contact with offenders, who:

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- a. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 34 U.S.C. §30309);
 - b. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats or force, or coercion, or if the victim did not consent or was unable consent or refuse; or
 - c. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (1)(b) of this section.
2. GDC shall consider any incidents of sexual harassment in determining whether to hire, promote, or to utilize the services of anyone who may have contact with offenders.
 3. Before hiring anyone who may have contact with offenders, GDC shall:
 - a. Perform a criminal background check; and
 - b. Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of any allegation of sexual abuse. Verification of such efforts will be documented via Attachment 5, Professional Reference Check.
 4. GDC shall also consider hiring qualified ex-offenders. A Request to Hire an Ex-Offender memo must be submitted by the Appointing Authority for approval from the Commissioner and submission for approval by the Board of Corrections. Request must identify the charge and conviction. The Criminal Background results, the Applicant statement explaining the circumstances surrounding the charge and disposition (if not indicated on the background results) must be attached to the memo.

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V. Attachments:

- Attachment 1: Confidential Interview/Evaluation Form
- Attachment 2: Confidential Selection Summary Sheet
- Attachment 3: Job Preview Form (for Correctional Officer Jobs)
- Attachment 4: Applicant Verification Form
- Attachment 5: Professional Reference Check

VI. Record Retention of Forms Relevant to this Policy:

Upon completion, Attachments 1 and 2 shall be retained for two (2) years at the local hiring facility with the Selection Package. Upon completion, Attachments 3, 4, and 5 shall be retained permanently in the official and local personnel files if hired; for Applicants not hired, retain for two (2) years at the local hiring facility with the Selection Package.