

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> <b>Standard Operating Procedures</b>		
<b>Policy Name:</b> Transfers - Internal and From Other State Agencies		
<b>Policy Number:</b> 104.25	<b>Effective Date:</b> 2/23/2018	Page Number: 1 of 5
<b>Authority:</b> Commissioner	<b>Originating Division:</b> Administration & Finance Division (Human Resources)	<b>Access Listing:</b> Level I: All Access

**I. Introduction and Summary:**

The purpose of this Standard Operating Procedure is to provide information on how a State Employee may apply for Georgia Department of Corrections (GDC) vacancies and be transferred to a different position in the same job, a position in a different job on the same paygrade, or a position in a job on a different paygrade, as a result of an approved selection process.

**II. Authority:**

- A. State Personnel Board Rules (SPBR): 478-1-.12 Salary, 478-1-.15 Changes to Employment Status, and 478-1-.24 Working Test & Permanent Status for Classified Employees;
- B. GDC Standard Operating Procedures (SOPs): 104.09 Filling a Vacancy, 104.10 Certifying a Peace Officer, 104.11 Using a List of Available Applicants, 104.12 Fingerprinting Employees, 104.13 Verification of Right to Work in United States, 104.14 Review of Applicant Qualifications, 104.15 Working Test & Permanent Status for Classified Employees, 104.18 Obtaining & Using Records for Criminal Justice Employment, 104.19 Employment of Certified Peace Officers, 104.21 Americans with Disabilities Act, and 104.29 Basic Salary Regulations; and
- C. ACA Standard: 2-CO-1C-09, 1-CTA-1C-05 and 4-4058.

**III. Definitions:**

- A. **Lateral Transfer (Same Agency)** - The movement of a GDC employee to fill a vacant position in the same job, or the movement of a GDC employee to fill a vacant position in a different job on the same paygrade.
- B. **Lateral Transfer (Different Agency)** - The movement of an employee from another State Agency to fill a GDC vacant position in a job on the same paygrade.
- C. **Personnel Action (PA)** - is used to report appointments, terminations, changes in status, compensation of an individual employee, etc. The Personal Action Form (PAF) should be used each time there is an action that should be recorded in the

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individual's personnel file or that requires payroll action. The PAF is used as a transmittal form for approval of the Personnel Action.

**D. Promotion/Demotion Non-Lateral Transfer (Different Agency)** - The movement of an employee from another State Agency to fill a GDC vacant position in a job on a different paygrade. This is processed as a promotion or a voluntary demotion.

#### **IV. Statement of Policy and Applicable Procedures:**

##### **A. Lateral Transfer Within Same Agency:**

1. In order to fill a vacant position, an Appointing Authority must announce the position on the Department Vacancy Announcement and follow the approved selection process in SOP 104.09, Filling a Vacancy.
2. If the selected applicant is a current GDC employee who is in another position, in the same job, and on the same paygrade, he/she will be transferred to the vacant position.
3. Once an applicant is selected for a vacant position, the local Human Resources (HR) representative must prepare a Personnel Action (PA) for a Lateral Transfer Within the Same Agency (XFR/LAT). Submit paper work to the assigned Correctional Human Resources Management (CHRM) Technician by the established cut-off date for the effective date of the transfer. The effective date must be the 1<sup>st</sup> or the 16<sup>th</sup> of the month. If the employee is transferring to a different job on the same paygrade, a Minimum Qualification Review must be performed to ensure the applicant meets the qualifications for the job in which the transfer has been requested. The CHRM Job Evaluation unit will advise the requestor of the decision via email.
4. If a Classified employee is transferred to an Unclassified position, the employee's status changes to unclassified. The employee must complete Attachment 1, Acknowledgement for Employees Changing to an Unclassified Position Form. This acknowledgement must be attached to the PA for Lateral Transfer Within Same Agency.

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5. All Correctional Officers are required to remain employed at the initial facility of employment **for a minimum of 12 months**, unless selected for a promotion or unless reassigned to another location as a result of department efficiencies, realignment, facility closures, etc. Newly hired Correctional Officers must acknowledge the Transfer Understanding Statement, which is located in the orientation package.

**NOTE: Due to retention and training purposes, Correctional Officers may be required to remain at the initial facility of employment for more than 12 months. In these cases, this will be reflected in the Transfer Understanding Statement initialed during orientation.**

6. All Correctional Officers laterally transferring to another facility within the Department **must** submit a request for Lateral Transfer to the current Appointing Authority.
7. Refer to SOP 104.37, Working Hours, Overtime & Compensatory Time, to determine how to treat Holiday Deferral, Compensatory Time & FLSA Compensatory Time balances for Transferees.

**B. Lateral Transfer from Different Agency:**

1. In order to fill a vacant position, an Appointing Authority must announce the vacant position on the Department Vacancy Announcement and follow the approved selection process in SOP 104.09 Filling a Vacancy.
2. If the selected applicant is a current employee of another Agency in a job on the same paygrade, he/she will be transferred to the vacant position. The employee must meet the minimum qualifications for the job to which they are being transferred per SOP 104.14 Review of Applicant Qualifications.
3. Once an applicant is selected for a vacant position, the local HR representative must prepare a PA for Lateral Transfer from Different Agency and submit to the assigned CHRM Technician by the established cut-off date for the effective date of the transfer. The effective date is typically the 1<sup>st</sup> or

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the 16<sup>th</sup> of the month. The Minimum Qualification Review decision must be attached to the PA.

4. If a **classified** employee is transferred to an **unclassified** position, the employee's status changes to unclassified. The employee must complete an Acknowledgement for Employees Changing to an Unclassified Position Form (Attachment 1) and attach it to the PA.
  5. If the classified employee fails working test, the employee has the right to the last job the employee held permanent status if that is on a paygrade lower than the GDC job. GDC must utilize that job and a vacant position must be available in the Agency, or the employee retains no rights to employment and must be separated.
  6. Prior to separation, the Agency from which the employee transferred should be contacted by the GDC Appointing Authority to inquire if the employee's return is possible.
  7. Refer to SOP 104.37 Working Hours, Overtime & Compensatory Time to determine how to treat Holiday Deferral, Compensatory Time & FLSA Compensatory Time balances for the Transferee.
- C. Promotion or Demotion from Different Agency (Non-Lateral)
1. In order to fill a vacant position, an Appointing Authority must announce the vacant position on the Department Vacancy Announcement and follow the approved selection process in SOP 104.09 Filling a Vacancy.
  2. If the selected applicant is a current employee of another Agency in a job on a different paygrade, he/she will be promoted or demoted to the vacant position. The employee must meet the minimum qualification for the new job per SOP 104.14 Review of Applicant Qualifications.
  3. Once an applicant is selected for a vacant position, the local HR representative must prepare a PA for either a Promotion (XFR/PRO) or Voluntary Demotion (XFR/VDM) (See SOP 104.29 Basic Salary

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Regulations) and submit to the assigned CHRM Technician by the established cut-off date for the effective date of the transfer. The effective date is the 1<sup>st</sup> or the 16<sup>th</sup> of the month. The minimum qualification review decision must be attached to the PA.

4. If a **classified** employee is transferred to an **unclassified** position, the employee's status changes to unclassified. The employee must complete Attachment 1, Acknowledgement for Employees Changing to an Unclassified Position Form and attach this to the PA.
5. If a classified employee fails working test, the employee has the right to the last job the employee held permanent status that is on a paygrade lower than the GDC job. GDC must utilize that job, and a vacant position must be available, or the employee retains no rights to employment and must be separated.
6. Prior to separation, the Agency from which the employee transferred should be contacted by the GDC Appointing authority to inquire if the employee's return to that Agency is possible.
7. Refer to SOP 104.37 Working Hours, Overtime & Compensatory Time to determine how to treat Holiday Deferral, Compensatory Time & FLSA Compensatory Time balances.

**V. Attachments:**

Attachment 1: Acknowledgement for Employees Changing to an Unclassified Position

Attachment 2: Acknowledgement of Provisions Governing Interdepartmental Transfer of Classified Employees

**VI. Record Retention of Forms Relevant to this Policy:**

Upon completion, Attachments 1 and 2 shall be placed in the official and local HR files and retained permanently.