



**DEPARTMENT OF CORRECTIONS  
Human Resources Division**



<b>Title:</b>	<b>Hardship Transfer</b>	<b>DOC Policy: 20.4.14</b>
<b>Effective:</b>	<b>3/1/14</b>	<b>Supersedes: 7/1/13</b>
<b>Applicability:</b>	<b>Classified, unrepresented, represented employees consistent with applicable collective bargaining agreements and management service employees</b>	
<b>Directives Cross-Reference: DAS Policy 50.010.04</b>		
<b>Attachment: CD 1522A Hardship Transfer Medical Verification</b>		

**I. PURPOSE**

To establish a method of transfer to another DOC work location based on a medical or family welfare situation balancing the employee's need with the responsible staffing and operation of the department.

**II. DEFINITIONS**

- A. Hardship Transfer: A transfer based on a medical or family welfare situation, where an employee may not have to go through a competitive process to transfer.
- B. Immediate Family: parents, wife, husband, children, brother, sister, grandmother, grandfather, grandchild, son-in-law, daughter-in-law, or another member of the immediate household, including the PEBB definition of domestic partners, as defined by collective bargain agreement.

**III. POLICY**

**A. Hardship Transfer**

The department is committed to assisting its employees in specified hardship situations by relocating those employees as appropriate and as positions become available to fill. A hardship transfer must be based on a medical or family welfare situation for the employee or his/her immediate family. Economic hardships do not constitute a family welfare situation.

- 1. Examples of significant hardship include, but are not limited to:
  - a. A specific long-term medical situation where services or care are more accessible in a specific location.
  - b. Family member in need of medical care only available in a certain location.
  - c. Special education needs for children related to physical or mental disability.
  - d. Seriously ill spouse or dependent in need of constant care.
  - e. Primary care for an elderly parent.
  - f. Domestic violence.
  - g. Serious health condition.
  - h. Seriously ill spouse or dependent in need of constant care.
  - i. Significant and recurring harassment or discrimination against the employee and/or his/her family at work or in the community.
- 2. Eligibility requirements:

- a. Employee must have successfully completed initial trial service.
- b. Employee must be on the hardship transfer list prior to the competitive opening of the appropriate position.
- c. Employee must not have been subject to discipline within the previous 12 months.
- d. The transfer must be in excess of 70 miles from the employee's current worksite to new worksite location.

**B. Process**

1. To be placed on the hardship list, an employee must create a profile in NEOGOV™ and apply to the hardship list announcement (HR29100).
2. Employees requesting a hardship transfer must complete and submit the following forms and letters to be considered for a Hardship Transfer:
  - a. DOC Hardship Verification Form CD 1522A
  - b. Cover letter explaining the specific circumstances of the request, indicating the requested remedy, and explaining why the proposed remedy is the best or only acceptable option.
3. Prior to the final consideration, the local Human Resources Manager and the employee's supervisor will meet with the employee to review the following information to provide to the Assistant Director for Human Resources:
  - a. Work performance.
  - b. Leave usage.
  - c. Participation in assignments that take the employee away from their family, including by not limited to fire crews, committees, and TERT.
  - d. Secondary employment.
4. Upon receipt of a completed packet, the Assistant Director for Human Resources, the Eastside Institution Administrator and an administrator from the Offender Management and Rehabilitation Division will meet to review the application and determine if it meets the criteria as defined in policy.
5. If the employee is approved for a hardship transfer, he/she must be ready to start the new position within 45 days of the position being offered.
6. If the transfer results in a change in representation, the employee will not receive exceptions to the receiving labor organization's collective bargaining agreement. This includes but is not limited to the definition of seniority, shift/days off assignments, and work assignment.
7. If the employee is transferring into a classification with three or fewer assignments to that classification within the functional unit, the employee will be required to meet with the functional unit manager to determine if the open position is an appropriate placement. If the placement is deemed appropriate, the hardship transfer will be approved. If the placement is not an appropriate assignment, the employee will remain on the hardship transfer list and be eligible for the next suitable job opening.

**C. Removal from the List**

1. An employee will be removed from the hardship transfer list for the following reasons:

- a. Declining a transfer offer made
  - b. Inability to report to work within 45 days of the position becoming vacant
  - c. Terminating employment from ODOC
  - d. Upon request by the employee
  - e. The circumstances creating the need for the hardship transfer are no longer an issue
  - f. One year after transfer is accepted
2. Once removed from the list, an employee must begin the process from its inception to be re-added to the list.

### III. IMPLEMENTATION

This policy will be adopted immediately without further modification.

Certified: signature on file  
Birdie Worley, Rules Coordinator

Approved: signature on file  
Mitch Morrow, Deputy Director