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ARTICLE 45.2A--FILLING OF VACANCIES (OYA Youth Correctional Facilities and Camps)

Section 1. Any vacancy within the Agency shall be filled first through exhaustion of the shift vacancy procedures in [Article 90.2A](#), secondly through exhaustion of the transfer process of [Article 70.2A Section 2](#) and lastly by hiring from the Agency Layoff list or secondary recall list. All subsequent parts of this Article apply when there is no Agency layoff list or secondary recall list.

Section 2. An employee desiring a lateral transfer shall place their name on an intra-agency transfer list through the State's current application process. This applies to full-time or part-time employees desiring a lateral transfer to a different facility or camp, full-time employees wanting to move from full-time to part-time, part-time staff wanting to move to a full-time position, or an employee wanting to voluntarily demote. Prior to accepting the position, staff will be notified of the available position details, including, but not limited to, unit, shift and regular days off. If the facility-wide tumble is still in process, the transferring staff will not be eligible to bid until the next tumble process is initiated. The hiring supervisor, in filling the vacancy, will consider qualified applicants requesting lateral transfer within the Agency, and may consider applicants from any other list. The most qualified applicant shall be selected.

If the senior employee requesting transfer is not selected, they may request in writing an explanation of the denial and it shall be provided, in writing.

Section 3. It shall be the employee's responsibility to see that they have taken the appropriate tests, is on the appropriate lists, and that the lists reflect their current Employer.

Section 4. The Agency will maintain a list of employee requests for intra-Agency lateral transfer. If a qualified employee requests a transfer because of extreme economic hardship or serious medical need they shall be selected provided that employee possesses the knowledge, skills, and abilities essential to the particular assignment. For purposes of this Section, a qualified employee means one who has not been subject to discipline or denial of a performance pay increase, reduction in pay, demotion, or suspension within the previous six (6) months.

Section 5. Promotions.

(a) Employees who are interested in a promotion shall apply through open job announcements. Employees who meet the minimum and any special qualifications for the position shall be interviewed and considered. If two (2) or more candidates for the final selection are equally qualified for the position, the candidate with the greatest length of service in the Agency shall be selected.

(b) Any employee who was interviewed may request and shall receive in writing an explanation of the reasons they were not selected. When denied a promotion, the notes and scoring of the employee's interview will be provided upon request. Advice and coaching from Human Resources on interview skills is available.

Section 56. The Appointing Authority has the right to reassign personnel in cases not involving a reduction in force. Volunteers for the organizational unit from which the

position is being reassigned will be given first consideration. The most senior volunteer with the Agency and who is qualified, both by classification and knowledge, skills, and abilities essential for the particular assignment, shall be selected. In the absence of volunteers, the transferee shall be that employee in the organizational unit from which the reassignment is being made who is the least senior and who is qualified both by classification and knowledge, skills, and abilities for the particular position.

Section 67. Prior to the opening of a new facility, the Agency shall identify the method it will use to fill the position(s). The Agency will convey the method to the Local and include the method on the transfer notice.

Section 8. Hardship Transfers.

(a) A hardship transfer will be considered on a case-by-case basis and will be determined by the Hardship Committee. Hardship transfers due to economic and medical hardships will be considered.

(b) Domestic Violence hardship transfers will be followed by current policy.

ARTICLE 45.2K--FILLING OF VACANCIES (OYA Administration and Field Services)

Section 1. Unless precluded by federal or state law, any vacancy within the Agency which is to be filled shall be filled by hiring from the Agency layoff list first, followed by the Secondary Recall list. All subsequent parts of this Article apply when there is neither of the previously mentioned lists.

Section 2. At the point that an Agency proceeds to fill a vacant bargaining unit position by promotion, lateral transfer or open competition, such information shall be fully publicized within the Agency for a minimum of five (5) working days. This will include posting of a notice on appropriate bulletin boards. Such publicity shall not prevent the Agency from proceeding to request any appropriate list.

Section 3. An employee desiring a lateral transfer shall submit a written request for transfer to the office of Employee Services.

Whenever a transfer list is used to fill a position, all employees on the list will be offered an interview and be considered for the vacant position.

Section 4. Whenever an open competitive or statewide promotion list is used to fill a position, those candidates indicated thereon as Agency employees will be offered an interview and considered for the vacant position.

Section 5. It shall be the employee's responsibility to see that they have taken the appropriate tests, is on the appropriate lists, and that the lists reflect their current Employer.

If an employee is not selected for the promotion or transfer, they will have the opportunity to discuss with the hiring supervisor why they were not selected for the position. **When denied a promotion, the notes and scoring of the employee's**

interview will be provided upon request. Advice and coaching from Human Resources on interview skills is available.

Section 6. The Agency will maintain a list of employee requests for intra-Agency lateral transfer. If a qualified employee requests a transfer because of extreme economic hardship or serious medical need they shall be selected provided that employee

91 possesses the knowledge, skills, and abilities essential to the particular assignment.

92 For purposes of this Section, a qualified employee means one who has not been
93 subject to discipline or denial of a performance pay increase, reduction in pay,
94 demotion, or suspension within the previous twelve (12) months.

95 **Section 7.** The Appointing Authority has the right to reassign personnel in cases not
96 involving a reduction in force. Volunteers for the organizational unit from which the
97 position is being reassigned will be given first consideration. The volunteer with the
98 most seniority who is qualified, both by classification and knowledge, skills, and abilities
99 essential for the particular assignment, shall be selected. In the absence of volunteers,
100 the transferee shall be that employee in the organizational unit from which the
101 reassignment is being made who has the least seniority and who is qualified both by
102 classification and knowledge, skills, and abilities for the particular position.

103 The term "organizational unit" as used in this contract provision refers to the Central
104 Office as a single organizational unit and each of the field branch offices as individual
105 organizational units.