

Kristina Koor

TA 6/6/2025

ARTICLE 45.2C--FILLING OF VACANCIES (OSH)

Section 1. Promotions.

- (a) When the Institution chooses to fill a vacancy by promotion, it shall use an Institution promotion list or selective certification, from the Institution, provided such a list is available.
- (b) Employees will be considered for promotion on the basis of each candidate's qualifications and the requirements of the position. If two (2) or more candidates for final selection are equally qualified for the position in the judgment of the Institution, the candidate with the greatest length of service in the Institution will be selected for promotion.
- (c) When the Institution chooses to fill the vacancy from an open competitive certificate, an employee in the Institution who is in rank order by score will be offered an interview and considered.
- (d) Any employee who was interviewed may request and shall receive in writing an explanation of the reasons they were not selected.
- (e) **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 2. Transfers Within Classification.

- (a) A vacancy is defined as an unfilled position in the Institution which it intends to fill. Seniority is defined as continuous service in the Institution. At Oregon State Hospital: Seniority includes continuous service at Oregon State Hospital and Dammasch State Hospital. For purposes of voluntary transfer only, seniority is defined as continuous service in the Institution in the same classification. Any absence without pay for longer than fifteen (15) days, except for maternity, illness, injury, educational leave, or military service, breaks continuous service. Time spent on such leave without pay, excluding job-related disabilities, military service, and educational leave, shall not count towards seniority.
- (b) The vacancy shall be filled by transfer of employees within the program or department, in the following manner except for classifications listed in Subsection (c):
- (1) Regardless of the Campus, the most senior regular employee from the program or department, having seniority as defined in Subsection (a) above and who has the special qualifications to perform the job and who requests the transfer shall be selected. Employees having a record of disciplinary action within six (6) months prior to the vacancy announcement shall not be eligible for transfer.
- (2) If no qualified employee from the department or program requests a transfer, a notice of vacant position to be filled shall be posted for five (5) consecutive days on a central bulletin board and on the unit bulletin board where the vacancy exists and shall state the job classification, the hours of work, the scheduled days off, and the special qualifications necessary to perform the job. Any employee in the same classification as the vacancy who desires the posted job shall submit a request for a transfer to that position, in writing, to

- 45 the office indicated in the notice. Trial service employees may make requests
46 under this procedure but the Institution is not obligated to consider their
47 requests. Employees having a record of disciplinary action within six (6)
48 months prior to the vacancy announcement shall not be eligible for transfer.
49 The hiring manager may consider any other available list in filling the vacancy.
50 The most qualified applicant shall be selected.
- 51 (3) If the senior employee requesting transfer is not selected, they may request in
52 writing an explanation of the denial and it shall be provided, in writing.
- 53 (4) An employee whose request for transfer is granted shall not be eligible to
54 utilize the procedure of Section 2(b) to request another transfer within the
55 following nine (9) months.
- 56 (5) Should an employee who is denied transfer opportunity because of
57 disciplinary action, and when said discipline is subsequently completely
58 removed through grievance resolution, that employee shall be allowed to
59 receive the appropriate consideration for two (2) subsequent vacancies of
60 their choice, regardless of seniority considerations for Section 2 and in
61 accordance with their seniority for Section 1.
- 62 (c) Transfers shall be done in the following manner for these SEIU Local 503, OPEU-
63 represented classifications: Clinical Psychologist 1, 2, Psychiatric Social Worker,
64 Rehabilitation Therapist, Occupational Therapist, Behavioral Health Specialists,
65 Institution Teachers, and Speech Language Pathologist.
- 66 (1) Notice of the vacancy shall be posted on a central board for five (5) days.
- 67 (2) Each employee who desires a transfer shall submit their request to the office
68 indicated on the notice.
- 69 (3) Any employee who requests a transfer may request the reasons for denial of
70 the transfer and the Institution shall provide the reasons in writing.
- 71 (d) Temporary assignments without regard to seniority may be made until permanent
72 assignments can be made through the procedures of Subsection (b).
- 73 (e) The Institution has the right to mandatorily transfer employees in the following
74 circumstances:
- 75 (1) When a transfer is necessary to meet the needs of the Institution, volunteers
76 will be given first consideration. The volunteer with the longest continuous
77 service with the Institution and who is qualified, both by classification and
78 knowledge, skills, and abilities essential for the particular assignment, shall be
79 selected. In the absence of volunteers, the transferee shall be that employee
80 in the organizational unit from which the reassignment is being made who has
81 the least continuous service with the Institution and who is qualified, both by
82 classification and knowledge, skills, and abilities for the particular position.
- 83 (2) When a transfer of a specific employee is necessary for training, deficient
84 performance, discipline, or because of special qualifications, management
85 shall inform the employee in writing of the reason for the transfer ten (10)
86 days in advance.
- 87 (f) Assignments of new employees for on-the-job training may be made without
88 regard to provisions of this Article.

- (g) When no employee requests a transfer to the vacancy and the Institution chooses to fill the vacancy by promotion, Section 1 of this Article will be followed.

Section 3. Pre-Bid and Filling of Lateral Transfer Process.

- (a) Lateral transfers specific to the Licensed Practical Nurse, Mental Health Security Technician, Mental Health Therapy Technician, Mental Health Therapist 1, Mental Health Therapist 2, Mental Health Therapy Coordinator, Cook, Food Service Worker 3, Transporting Mental Health Aide, Activities Coordinator, Office Specialist 2 (only OS2 positions allocated to Nursing units within the secure perimeter), and Custodian job classifications happen through a pre-bid system. For purposes of the pre-bid system, the Mental Health Therapy Coordinator and Mental Health Therapist 2 classifications will be considered equal and the Mental Health Security Technician and Transporting Mental Health Aide classifications will be considered equal.
- (b) For purposes of the pre-bid system, seniority will be defined as continuous service in the employee's classification series, including Dammasch State Hospital. In the event more than one (1) employee has the same seniority date in the series, the employee's state seniority will be used to break the tie. In the event that a tie cannot be broken by state seniority, the tie will be broken by using the computerized time stamp indicating when the Workday interest was received. The first (1st) employee who submitted will be the first (1st) processed.
- (c) During the established declaration period, all staff in the affected series will be given the opportunity to declare their desire to laterally transfer. This period will coincide with the current vacation bidding blocks (January-March, April-June, July-September, October-December) as follows:
- (1) A Workday OSH lateral transfer job announcement will be posted for each job classification from the 1st through the 14th of the month prior to the beginning of the bid block (December, March, June, September) that will include each work location, unit or treatment mall area, and available shift.
 - (2) Employees will apply via Workday selecting the appropriate lateral transfer recruitment and selecting the work location(s), work area(s) and shift(s) that they are interested in transferring to during the upcoming bid block. There shall be no limit to the number of positions in which an employee can express interest in a lateral transfer.
 - (3) Seniority lists for each classification will be established based on the information submitted via Workday and will be provided to the hiring manager or designee prior to the start of each bid period.
 - (4) When a vacancy occurs, the seniority list for that particular work location, work area and shift will be pulled. The hiring manager or designee will complete a check with the Office of Human Resources prior to extending a lateral transfer offer to ensure that the most senior candidate is in the current classification, has had no lateral transfers within the last nine (9) months and no discipline within the last six (6) months.
 - (5) The most senior candidate will be contacted at the telephone number and e-mail address listed in the candidate's Workday application. A telephone

- 133 message will be left for candidates who do not answer and the candidate will
134 be given twenty-four (24) hours in which to respond before the hiring manager
135 or designee shall move to the next senior candidate.
- 136 a) If the most senior candidate accepts the position, they will be removed
137 from the bid block list. Once a position has been accepted, the candidate
138 may not withdraw their acceptance.
- 139 b) If the most senior candidate declines the position, their name will be
140 removed from that work area and shift only for the remainder of the bid
141 block period and the established seniority list will be followed until the list
142 is exhausted.
- 143 c) If the most senior candidate has not accepted and/or declined the
144 position within twenty-four (24) hours of the verbal offer by the hiring
145 manager and/or designee, the candidate's name will be removed from
146 the list for that work location and shift and the established seniority list will
147 be followed until the list is exhausted.
- 148 (6) An employee that does not respond to an offer within twenty-four (24) hours
149 for more than three (3) consecutive offers will be removed from consideration
150 for the remainder of the current quarter.
- 151 (7) Any vacant position that remains vacant during the last seven (7) days prior to
152 the end of the current quarterly bid cycle, regardless of vacancy date, shall be
153 checked for and filled by lateral bid applicants within the next quarterly bid
154 block before filling through an open competitive process. Any position that
155 becomes vacant during the last seven (7) days of the current bid block shall
156 be checked for and filled through the current lateral bid applicants. If the
157 position remains vacant, it shall be checked for and filled by the next quarterly
158 bid block before filling through an open competitive process. All other vacant
159 positions that remain unfilled after all eligible employees are given the
160 opportunity to transfer will be posted through the open competitive
161 recruitment process.
- 162 (8) An employee who is granted a lateral transfer through the bid block process
163 shall not be eligible to laterally transfer again for nine (9) months.
- 164 (9) If an employee is denied lateral transfer opportunity because of disciplinary
165 action and the discipline is subsequently completely removed through
166 grievance resolution, that employee shall be allowed to receive the
167 appropriate consideration for two (2) subsequent vacancies of their choice
168 within the current bid block period, regardless of seniority considerations as
169 outlined in section number 4 of this Letter of Agreement.
- 170 (See Letter of Agreement [45.2C-21-411](#) in Appendix A.)

171 REV: 2015,2023

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175 **ARTICLE 45.2H--FILLING OF VACANCIES (Pendleton Cottage)**

Section 1. Promotions.

- (a) When the Facility chooses to fill a vacancy by promotion, it shall use an Institution promotion list or selective certification, from the Facility, provided such a list is available.
- (b) Employees will be considered for promotion on the basis of each candidate's qualifications and the requirements of the position. If two (2) or more candidates for final selection are equally qualified for the position in the judgment of the Institution, the candidate with the greatest length of service in the Institution will be selected for promotion.
- (c) When the Facility chooses to fill the vacancy from an open competitive certificate, an employee in the Facility who is in rank order by score will be offered an interview and considered.
- (d) Any employee who was interviewed may request and shall receive in writing an explanation of the reasons they were not selected.
- (e) **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 2. Transfers Within Classification.

- (a) A vacancy is defined as an unfilled position in the Facility which it intends to fill. For purposes of voluntary transfer only, seniority is defined as in house seniority followed by state seniority. Any absence without pay for longer than fifteen (15) days, except for maternity, illness, injury, educational leave, or military service, breaks continuous service. Time spent on such leave without pay, excluding job-related disabilities, military service, and educational leave, shall not count towards seniority.
- (b) The vacancy shall be filled by transfer of employees within the Facility, in the following manner:
- (1) A notice of vacant position to be filled shall be posted for five (5) consecutive days on a central bulletin board and shall state the job classification, the hours of work, the scheduled days off, and the special qualifications necessary to perform the job. Any employee in the same classification as the vacancy who desires the posted job shall submit a request for a transfer to that position, in writing, to the office indicated in the notice.
 - (2) The most senior regular employee from the Facility, having seniority as defined in Subsection (a) above and who has the special qualifications to perform the job and who requests the transfer shall be selected. Employees having a record of disciplinary action within six (6) months prior to the vacancy announcement shall not be eligible for transfer.
 - (3) Trial service employees may make requests under this procedure but the Facility is not obligated to consider their requests.
The hiring manager may consider any other available list in filling the vacancy.
The most qualified applicant shall be selected.
 - (4) 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.

- 220 (5) An employee whose request for transfer is granted shall not be eligible to
221 utilize the procedure of Section 2(b) to request another transfer within the
222 following nine (9) months.
- 223 (6) Should an employee who is denied transfer opportunity because of
224 disciplinary action, and when said discipline is subsequently completely
225 removed through grievance resolution, that employee shall be allowed to
226 receive the appropriate consideration for two (2) subsequent vacancies of
227 their choice, regardless of seniority considerations for Section 2 and in
228 accordance with their seniority for Section 1.
- 229 (c) Temporary assignments without regard to seniority may be made until permanent
230 assignments can be made through the procedures of Subsection (b).
- 231 (d) The Facility has the right to mandatorily transfer employees in the following
232 circumstances:
- 233 (1) When a transfer is necessary to meet the needs of the Facility, volunteers will
234 be given first consideration. The volunteer with the longest continuous service
235 with the Facility and who is qualified, both by classification and knowledge,
236 skills, and abilities essential for the particular assignment, shall be selected. In
237 the absence of volunteers, the transferee shall be that employee in the Facility
238 from which the reassignment is being made who has the least continuous
239 service with the Facility and who is qualified, both by classification and
240 knowledge, skills, and abilities for the particular position.
- 241 (2) When a transfer of a specific employee is necessary for training, deficient
242 performance, discipline, or because of special qualifications, management
243 shall inform the employee in writing of the reason for the transfer ten (10) days
244 in advance.
- 245 (e) Assignments of new employees for on-the-job training may be made without
246 regard to provisions of this Article.
- 247 (f) When no employee requests a transfer to the vacancy and the Facility chooses to
248 fill the vacancy by promotion, Section 1 of this Article will be followed.
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