	DEPARTMENT OF CORRECTIONS AND REHABILITATION DEPARTMENT ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: January 01, 2024	POLICY NO.: ADM.03.36
		SUPERSEDES (Policy No. & Date): ADM.03.36 of March 17, 1998	
	SUBJECT: ADULT CORRECTIONS OFFICER (ACO) REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION		Page 1 of 6

1.0 PURPOSE

To establish guidelines governing Adult Corrections Officer (ACO) requests for transfer/voluntary demotion.

2.0 SCOPE

This policy applies to all Adult Corrections Officers within the Department of Corrections and Rehabilitation.

3.0 REFERENCES, DEFINITIONS & FORMS

.1 References

- a. Hawaii Revised Statutes
 1. Section 76-1, HRS, Merit Personnel System
76-22.5, HRS, Recruitment Flexibility
76-18, HRS, Examinations, General Character
76-27, HRS, Probationary service and other requirements for membership
 2. Chapter 26-14.6, Department of Public Safety
26-5, Department of Human Resources Development
26-38, Powers and duties of heads of departments
26-39, Department staffs
- b. Title 14, Administrative Rules, Subtitle 1, State of Hawaii Personnel Rules, Chapter 3.03 Non-Competitive Movements, 14-3.03-1 Transfers, 14-3.03-4 Voluntary Demotions.
- c. First Consideration Policy - Department of Human Resources Development, December 15, 1992, revised November 28, 1994.

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DCR P & P M	SUBJECT: ADULT CORRECTIONS OFFICER (ACO) REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	POLICY NO.: ADM.03.36
		EFFECTIVE DATE: January 01, 2024
		Page 2 of 6

- d. Applicable provisions of collective bargaining agreements.
- e. Department of Corrections and Rehabilitation Policies and Procedures – Filling of Vacancies.

.2 Definitions

- a. Demotion - means a movement of a regular employee from the position in which the employee last held a permanent appointment to another position:
 - 1. Which is assigned to a class with a lower pay range in the same salary schedule; or
 - 2. Which is assigned to a class with a lower maximum rate of compensation in a different salary schedule and the dollar difference between the two maximum rates is more than the dollar difference between the minimum and second step of the former pay range; provided that, a rate of five percent more than the minimum rate of the range shall be deemed to be equivalent to the second step in the EM schedule; provided further, that a rate of ninety-five percent of the single rate pay range shall be deemed equivalent to the minimum or first step of the pay range.
- b. Internal Vacancy Announcement (IVA) – A recruitment notice announcing the acceptance of applications for a class or position. Such recruitments are restricted to regular employees of the Department of Corrections and Rehabilitation (DCR) in the Executive Branch.
- c. Intra-Departmental Competitive Promotion - means a recruiting notice announcing the receipt of applications for participation in an examination for positions in a particular class, admission to which is limited to regular employees of a particular state agency in the executive branch. This recruitment is conducted by the Department of Human Resources Development (HRD).

NOT CONFIDENTIAL

DCR P & P M	SUBJECT: ADULT CORRECTIONS OFFICER (ACO) REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	POLICY NO.: ADM.03.36
		EFFECTIVE DATE: January 01, 2024
		Page 3 of 6

- d. Non-Competitive Movement – A movement effectuated without the use of a competitive eligible list prepared by HRD. Non-Competitive movements include promotions, demotions, and transfers.

- e. Regular Employee of PSD - means an employee who has been appointed to a position in the civil service in accordance with chapter 76, Hawaii Revised Statutes, and who has successfully completed the employee's initial probational period with PSD, or as provided by statute.

- f. Transfer - means a movement of a regular employee from the position in which the employee last held permanent appointment to another position which is assigned to a class:
 - 1. With the same maximum rate of compensation; or

 - 2. In a different salary schedule:
 - a) With a higher maximum rate of compensation, and the dollar difference between the two maximum rates is less than or equal to the dollar difference between the minimum and second step of the former pay range; or

 - b) With a lower maximum rate of compensation and the dollar difference between the two maximum rates is less than or equal to the dollar difference between the minimum and second step of the former pay range; provided that, a rate of five percent more than the minimum rate of the range shall be deemed equivalent to the second step in the EM schedule; provided further, that a rate of ninety-five percent of the single rate of a salary schedule with a single rate pay range shall be deemed equivalent to the minimum or first step of the pay range. [Effective Jun. 11, 1992] (Auth: HRS SS26-5, 76-17) (Imp: HRS SS26-5, 76-13, 76-17, 76-35, 76-36)

NOT CONFIDENTIAL

DCR P & P M	SUBJECT: ADULT CORRECTIONS OFFICER (ACO) REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	POLICY NO.: ADM.03.36
		EFFECTIVE DATE: January 01, 2024
		Page 4 of 6

4.0 POLICY

It is the intent of the Department to provide the best service possible in the area of corrections and the operation of its correctional facilities. To accomplish this, the department will set limitations on intra-departmental non-competitive transfers or voluntary demotions. The objectives of these limitations are:

1. To develop and retain competent employees in the DCR;
2. To reemphasize the merit principles of building a career service in corrections;
3. To maximize the efficiency and effectiveness of each correctional facility's limited staffing by fully developing their assigned ACOs for a minimum three- year appointment at the facility where the employee's initial or new probationary appointment began;
4. To ensure that all ACOs receive proper training and ongoing job performance evaluations at their respective assigned correctional facilities;
5. To encourage newer ACOs to develop their knowledge, skills, abilities, and personal characteristics in corrections as a profession and career;
6. To provide each correctional facility with a stable Security Operations section where ACOs are fully trained, skilled in security, problem solving, protecting inmates, employees and the general public; and
7. To minimize disruptions to program operations caused by frequent staff turnover and/or loss when new ACOs elect to transfer to another correctional facility while still being trained.

Responsibilities

1. Selection Interview Panel - Responsible for informing prospective ACOs of this three-year, no-transfer policy for initial and/or new probational hires. The terms must be accepted as a condition of employment by the prospective ACO.

NOT CONFIDENTIAL

DCR P & P M	SUBJECT: ADULT CORRECTIONS OFFICER (ACO) REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	POLICY NO.: ADM.03.36
		EFFECTIVE DATE: January 01, 2024
		Page 5 of 6

2. Personnel - Staffing and Technical Services (PER-STTS) - Responsible for reviewing and processing Non-Competitive movements i.e. transfers, and voluntary demotions on a timely basis.
3. Division Administration and Wardens - Responsible for supporting and enforcing this P&P and ensuring that line and staff members are informed of any changes or modifications to the policy and/or procedures.
4. Chiefs of Security (COS) and subordinate Line Supervisors - Responsible for reproducing and disseminating this P&P to all initial probation and regular ACOs in all facilities and posting copy(s) in common areas.
5. Applicant - Responsible for understanding and abiding by this policy and procedure.

5.0 PROCEDURES

To promote stability of security operations at the facilities, a minimum of three (3) years appointment is required as an ACO at the facility where the employee's initial or new appointment began. This time requirement encourages newer ACOs to develop their knowledge, skills, and abilities at their initial facility while providing that facility with a stable Security Operations Section. Stability means establishing a fully trained security section that is skilled in problem solving, protecting inmates, employees, and the public.


1. Chiefs of Security (COS) and subordinate Line supervisors will notify/inform all initial probation and regular ACOs of this policy.
2. An ACOR/ACO III may apply to fill a vacancy through the Internal Vacancy Announcement (IVA) process as prescribed in Department of Corrections and Rehabilitation Policies and Procedures - Filling of Vacancies at the conclusion of the three-year period.
3. Requests for transfer due to hardship circumstances will be reviewed by the Director. Decisions to allow a transfer under these conditions will be made on a

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DCR P & P M	SUBJECT: ADULT CORRECTIONS OFFICER (ACO) REQUESTS FOR TRANSFER/VOLUNTARY DEMOTION	POLICY NO.: ADM.03.36
		EFFECTIVE DATE: January 01, 2024
		Page 6 of 6

case-by-case basis at the Director's discretion. Requests must be made in writing to the Deputy Director of Corrections through the chain of command. (see "Transfers" P&P).

APPROVAL RECOMMENDED:

 JAN 0 1 2024
Deputy Director for Administration Date

APPROVAL RECOMMENDED:

 JAN 0 1 2024
Deputy Director for Corrections Date

APPROVED:

 JAN 0 1 2024
DIRECTOR Date

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