



SARAH HUCKABEE SANDERS  
GOVERNOR

**ARKANSAS DEPARTMENT OF CORRECTIONS**

1302 Pike Avenue, Suite C  
North Little Rock, AR 72114



OFFICE OF THE  
SECRETARY

October 3, 2024

Senator Kim Hammer, Co-Chair  
Arkansas Legislative Council  
Administrative Rules Subcommittee  
*Via Email*

Representative Brian Evans, Co-Chair  
Arkansas Legislative Council  
Administrative Rules Subcommittee  
*Via Email*

Dear Co-Chairs,

Please consider this as the Department of Corrections (DOC) quarterly report on new and revised secretarial directives and administrative directives issued in the third quarter of Calendar Year 2024, beginning July 1, 2024, and ending September 30, 2024. Submitted along with this letter are copies of the following directives:

<b>Arkansas Department of Corrections</b>	
<b>Secretarial Directive Summary</b>	<b>Beginning Page #</b>
<p><b>SD 2024-03 Employment. (Effective Date 7/3/2024).</b></p> <p>This policy was updated to ensure compliance with requirements found in the Prison Rape Elimination Act (PREA). with changes related to the Prison Rape Elimination Act (PREA). PREA (1) prohibits hiring or promoting staff who engaged in sexual abuse of inmates, (2) requires the DOC to consider incidents of sexual harassment in making hiring or contracting decisions, (3) requires the DOC to review criminal background checks at least every five years, and (4) requires the DOC to ask all job applicants about sexual misconduct.</p>	<p>Clean: 1 Markup: 14</p>
<b>Division of Correction</b>	
<b>Administrative Directive Summary</b>	<b>Beginning Page #</b>
<p>There were no new or revised Administrative Directives issued during this time.</p>	

<b>Division of Community Correction</b>	
<b>Administrative Directive Summary</b>	<b>Beginning Page #</b>
There were no new or revised Administrative Directives issued during this time.	

Sincerely,



Tawnie Rowell  
Chief Legal Counsel  
Department of Corrections

Cc:

Lindsay Wallace, Secretary, Department of Corrections  
Wade Hodge, Chief of Staff, Department of Corrections  
Rebecca Miller Rice, Administrative Rules Review Section, BLR  
Dexter Payne, Director, Division of Correction  
Jim Cheek, Director, Division of Community Correction  
Benny Magness, Chairman, Board of Corrections  
File

*Enclosure*



## OFFICE OF THE SECRETARY

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### SECRETARIAL DIRECTIVE

**SUBJECT:** Employment

**NUMBER:** 2024-03

**SUPERSEDES:** 2022-04

**APPLICABILITY:** All Department of Corrections Employees, excluding commissioners of the Parole Board, Correctional School Employees, Directors, commissioners of the Arkansas Sentencing Commission, and members of the Criminal Detention Facility Review Board

**REFERENCE:** A.C.A. §§ 12-26-105, 12-27-123, 16-90-802, 16-93-201, 21-3-302, 21-5-208, 25-43-105, 25-43-108, and 25-43-403; OPM Policy #5 Employee Disclosure and OPM Policy # 8 Advertising a Job and Filling a Position

**PAGE:** 1 of 10

**ISSUED BY:** Original signature on file

**EFFECTIVE DATE:** 7/3/2024

#### I. POLICY:

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. All employees of the Department are under the direct supervision of the Secretary, except those excluded by this policy. This directive is intended to ensure that the Department will, as an Equal Opportunity Employer, implement fair and consistent employment policies.

#### II. DEFINITIONS:

- A. At Will Employment. All Employees are “at will” under Arkansas Law. The employer or the Employee may terminate the employment relationship at any time. Termination may be for any reason or no reason. Advance notice is not required to terminate the employment relationship.
- B. Class or Classification. A group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training, skills, experience, and of skill that the same title, scale of compensation, and same test of fitness (if applicable) have been or may be applied.
- C. Conditional Offer of Employment. An offer of employment based upon an applicant meeting certain job-related requirements prior to hire and/or during the Probationary Period.
- D. Conviction. A Conviction may include, but is not limited to a guilty plea, plea of nolo contendere, negotiated plea, or finding of guilt by a judge or jury. For the purposes of this policy, an adverse ruling in a civil case is not considered a Conviction.
- E. Demotion. A change in duty assignment of an Employee from a position in one classification to a position of a lower salary and grade requiring fewer qualifications, such as lower skill requirements, less job-related experience, and a lower level of responsibility.

- F. Employee. A person appointed or employed in a position with the Department for which they are compensated on a part-time or full-time basis, and which has a class title and pay grade in A.C.A. § 21- 5-208.
- G. Essential Job Functions. The fundamental duties of a job or position. The documented responsibilities or tasks a person holding the job absolutely must be able to perform.
- H. Hiring Official. Administrators, Heads of Sections, Area Managers, Center Supervisors, Wardens, Superintendents, or higher who are authorized to make a final selection of applicants for positions available within the Department.
- I. Law Enforcement Officer (LEO). Any Employee designated by a Division Director or the Secretary who has met or is in the process of meeting Commission of Law Enforcement Standards and Training (CLEST) certification.
- J. New Hire. Employees entering state service with the Department for the first time.
- K. Probationary Period. A time during which the Department may evaluate an Employee's suitability in terms of knowledge, skill, ability, character, interest, and conduct to determine whether employment should be continued. A Department Employee that promotes or Transfers to another job classification will have a six (6) month Probationary Period in the new position unless otherwise specified. Specific Probationary Periods include:
1. Initial Probation. A period of (1) one-year probation which begins upon initial hire with the Department.
  2. Disciplinary Probation. A period of six (6) to twelve (12) months of increased scrutiny due to a violation of the Department's Code of Ethics or Conduct policy.
  3. Certification Probation. A Department Employee that demotes, promotes, is appointed, or hired into a new position subject to CLEST training standards will be required to serve a one (1) year Probationary Period (i.e., hired as a probation/parole officer) as outlined in the provisions in this policy. Employees transferring or promoting from one CLEST position to a different CLEST position are only subject to the six (6) month Probationary Period and do not fall under the provisions for the Certification Probation.
    - a. This probationary period does not prohibit transfer or promotion and is not considered an Initial Probation period or Disciplinary Probation period. This probation period does not exclude an Employee from having grievance rights. An Employee may be on Transfer probation or Promotion probation while on Certification Probation which may prevent their ability for Transfer or Promotion.
    - b. Employees moving from non-CLEST certified status to CLEST certified status will have a one (1) year Certification Probation period and will be required to complete a CLEST Certified Position Probationary Period Acknowledgement (Attachment #3).
- L. Promotion. A change in duty assignment of an Employee from a position in one classification to another position with a higher salary or grade requiring higher qualifications, such as greater skill, more experience, or involving a higher level of responsibility.
- M. Rehire. Employee returning to state service with the Department after a break in employment of two (2) or more pay periods.
- N. Resignation. An act or instance of renouncing or giving up a position.
- O. Transfer. Employees transferring between state agencies, institutions, or laterally within the divisions of the Department without a break in service.
- P. Veteran. For purposes of this policy, Veteran means a person honorably discharged from a tour of active duty, other than active duty for training only, with the US Armed Forces; or any person who has

served honorably in the National Guard or a reserve component of the US Armed Forces for a period of at least six (6) years, whether the person has retired or been discharged or not.

- Q. Waiver. A request to have Promotion limitations by a current Employee who is applying for a lateral or promotional position within the Department.

### **III. PROCEDURES**

#### **A. Exclusions**

1. The provisions of this Directive do not govern the selection or removal of members of the Parole Board. The selection or removal of Parole Board Members is governed by A.C.A. § 16-93-201.
2. The Employees of the Correctional School are governed by the personnel policies set by the Board of Corrections (when convened as the Board of Education for the Arkansas Correctional School District).
3. The provisions of this Directive do not govern the selection or removal of the Director or members of the Arkansas Sentencing Commission (ASC). The selection or removal of the Director or members of the ASC is governed by A.C.A. § 16-90-802.
4. The provisions of this Directive do not govern the selection or removal of members of the Criminal Detention Review Committee (CDRC). The selection or removal of the CDRC members is governed by A.C.A. § 12-26-105.

#### **B. Position Vacancies**

1. The Hiring Official or their designee must create a job requisition in SuccessFactors before beginning the process of filling any vacant position.
2. Except as provided below, positions must be advertised according to procedures established by the Office of Personnel Management (OPM).
  - a. Positions graded at or above GS13, IT08, MP03, or SE01 are not required to be advertised. The Secretary, Division Directors, or their designee has the authority and discretion to appoint or transfer individuals into these classifications.
  - b. Emergency Hires. A position designated as an emergency hire must have OPM approval before the position can be filled. An emergency hire is only permitted when the delay of advertising a vacancy would have an immediate effect on the public welfare, health, and safety.
  - c. Any other position authorized by the Governor.
3. A request for advertisement of a position that requires additional actions (newspapers or websites) must be submitted to and coordinated by the Central Human Resources Office.

#### **C. Applications, Minimum Qualifications, and Pre-Interview Scoring**

1. Applications.
  - a. Applications will be submitted/reviewed by the Central Human Resources Office. b. Applications must be submitted via the ARCareers website at [arcareers.arkansas.gov](http://arcareers.arkansas.gov).
  - c. In the case of positions advertised on social media or other platforms in addition to the ARCareers website, no application information may be solicited or accepted via the external platform. The platform is only to be used as a mechanism to direct potential applicants to the ARCareers job listing.
2. Minimum Qualifications.
  - a. After the job posting closes, the Central Human Resources Office will review applications and create a list of applicants who meet minimum qualifications.
  - b. Applicants who meet minimum qualifications will move on to Pre-Interview Scoring. Those

applicants who do not meet minimum qualifications will be notified by Central Human Resources that they did not meet minimum qualifications for the position, and the reason(s) why.

3. Pre-Interview Scoring. After notifying those applicants who do not meet minimum qualifications, Central Human Resources Office will examine applications and provide a Pre-Interview Score for each applicant. The Pre-Interview analysis will be scored as follows.

- a. Education. The applicant must meet minimum requirements for the job classification or must be approved as a qualified applicant per state requirements. All degrees, diplomas, or transcripts received must be from an institution accredited by the applicable Arkansas Department of Education or an accrediting body recognized by the U.S. Department of Education. The chart below details the appropriate number of based on the minimum requirements and the applicant’s educational level.
  - i. A maximum of ten (10) points may be awarded for an applicant for completion of related education above and beyond the minimum educational requirements for the position.
  - ii. Applicants may be awarded Pre-Interview Score points based on their application without submitting a copy of the diploma or degree showing the award of the educational level, but a copy is required to be submitted prior to hiring.

Minimum Required Education	HS Diploma/ GED	Associates Degree	Bachelors Degree	Masters Degree	JD, PhD, MD, or Terminal Degree
High School Diploma/GED	0 pts	2.5 pts	5 pts	7.5 pts	10 pts
Associate Degree	N/A	0 pts	2.5 pts	5 pts	7.5 pts
Bachelors Degree	N/A	N/A	0 pts	2.5 pts	5 pts
Masters Degree	N/A	N/A	N/A	0 pts	2.5 pts
JD, PhD, MD, or Terminal Degree	N/A	N/A	N/A	N/A	0 pts

b. Experience. An applicant’s experience for the job is awarded one-quarter (0.25) points for each month of related experience exceeding the minimum requirements, up to a maximum of ten (10) points. Work credit will only be given for paid positions (including those under the MyARInternship program), internships under an accredited higher education program relative to the experience, or educational qualifications for the position.

c. Veteran’s Preference. Pursuant to A.C.A. § 21-3-302, an applicant may qualify for Veteran’s Preference points.

- i. The Department provides Veteran’s Preference to an individual who:
  - a) Indicates on the employment application that they are:
    - 1. A Veteran.
    - 2. A disabled Veteran
    - 3. The spouse of a disabled Veteran
    - 4. The surviving spouse of a deceased Veteran who is unmarried at the time of application for employment and remains unmarried until the decision to hire is made
  - b) A resident of Arkansas
  - c) Meets minimum qualifications for the position to which the individual applied.
- ii. Veterans Preference will be scored as either five (5) or ten (10) points.
  - a) Ten (10) points will be awarded if:

1. The applicant establishes the existence of a service-connected disability.
2. The Veteran is over fifty-five (55) years of age, disabled, and entitled to a pension or compensation under existing laws.
3. The applicant is the spouse of a Veteran with a service-related disability whose disability disqualifies them for selection.

b) Five (5) points will be awarded if the applicant establishes qualifications for Veteran's preference but does not meet the criteria for being awarded ten (10) points.

iii. An applicant may voluntarily submit official proof of their status as a Veteran, disabled Veteran, spouse, or a surviving spouse of a deceased Veteran to receive Veteran's preference points.

D. Total Pre-Interview Score. Central Human Resources Office will add Veteran's Preference Points to Education points (total max points allowed) and Experience points to get a Pre-Interview Score.

E. Selecting Applicants for Interview

1. After creating a list of applicants who meet minimum qualifications and evaluating those applicants using the Pre-Interview Scoring qualification, Central Human Resources Office will provide the Hiring Official with a list of qualified applicants and their Pre-Interview Score.
2. All applicants who indicate Veteran's status shall be interviewed if they meet minimum qualifications for the position.
3. The Hiring Official will select which applicants to interview.
  - a. The Hiring Official may decline to interview an applicant with a documented history of two (2) or more "no show", no cancellation, and no follow up contact for previous interview appointments.
  - b. An applicant may not be selected for an interview (excluding veterans) unless each applicant with the same or higher Pre-Interview Score is selected for interview. For example, to interview an applicant with a Pre-Interview Score of seven (7), the Hiring Official must offer an interview to all applicants with a Pre-Interview Score of seven (7) through ten (10).
  - c. If an applicant is rehired after a previous "no rehire" recommendation, they must serve a mandatory one (1) year probationary term beginning at the latest rehire date before they are eligible for promotion.
  - d. Staff on probation (excluding probation for disciplinary reasons) are required to request a waiver prior to applying for a position.
    - i. The request for a waiver shall be routed through the Central Human Resources Administrator (CHRA).
    - ii. The waiver will be forwarded to the appropriate Division Director, the Secretary, or their designee and may be approved or denied at their discretion.
    - iii. A waiver decision not received by the closing date of the job advertisement shall be considered a denial.

F. Interviews

1. Interview Committee
  - a. The Hiring Official selects the interview committee.
  - b. The interview committee must consist of two (2) or more current Employees from the Department.
  - c. Employees serving on the interview committee must be the same or higher grade as the advertised grade and familiar with the knowledge, skills, and abilities of the position being filled.
  - d. The Hiring Official may elect to bypass the committee for non-exempt positions, except for entry level Parole/Probation Officer.

- e. The Hiring Official may serve on the interview committee but is not required to do so.

## 2. Interview Questions

- a. The Hiring Official, in consultation with the CHRA or their designee, must create interview questions based on the knowledge, skills, and abilities (KSA) of the job, as designated by the official job duties and specifications.
  - i. There must be at least one question for each KSA.
  - ii. The Hiring Official must rank each question in order of importance.
- b. The interview committee, or Hiring Official if a committee is bypassed, will use the interview questions to interview each applicant.
  - i. All applicants should be asked the same questions, and all applicants should be asked every interview question.
  - ii. Each member of the interview committee will score each question for each applicant.

## 3. Interview Score

- a. Total interview scores will be calculated by Unit Human Resources, Local Human Resources, or Central Human Resources based upon the assigned Hiring Official.
  - i. The applicable Human Resources Office will average the scores of interview committee members for each interview question.
  - ii. Each averaged score will be weighted based on the priority assigned by the Hiring Official, resulting in a weighted interview score.
- b. An applicant will not be considered for the position without a weighted interview score of at least seventy percent (70%).

## G. Selecting an Applicant

1. The Education Pre-Interview Score, Experience Pre-Interview Score, and Veteran's Preference Pre-Interview Score will be added to the Interview Score to determine the highest scoring applicants.
2. A Hiring Official may elect to grant a second interview to the three (3) highest scoring applicants if the Hiring Official did not participate in the initial interviews.
3. The Hiring Official will select which applicant to offer the position to. If the Hiring Official does not select the highest scoring applicant, they must submit written justification for selecting an applicant other than the highest scoring applicant. This justification must state in clear and unambiguous terms why the selected applicant was chosen over the highest scoring applicant. The CHRA will review and approve or deny the justification. If approved, the justification will become a part of the applicant's interview packet.
4.
  - a. The Department shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who:
    - i. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
    - ii. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
    - iii. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(ii) of this section.



- b. The Department shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.
- c. Before hiring new employees who may have contact with inmates, the Department shall:
  - i. Perform a criminal background records check; and.
  - ii. Consistent with Federal, State, and local law, make the best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- d. The Department shall conduct criminal background records checks at least every five years of current employees who may have contact with inmates or have in place a system for otherwise capturing such information for current employees.
- e. The Department shall ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions and in any interviews or written self- evaluations conducted as part of reviews of current employees. The Department shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.
- f. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
- g. Unless prohibited by law, the Department shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

#### H. Pre-Employment Screening and Offer of Employment

1. Upon notification that an applicant has been selected, Human Resources will contact the selected applicant with a Conditional Offer of Employment and begin pre-employment screening.
2. Pre-employment screening shall include, but is not limited to the following components:
  - a. Comprehensive criminal background checks run against law enforcement indexes, including but not limited to:
    - i. National Crime Information Center (NCIC) record review
    - ii. Arkansas Crime Information Center (ACIC) record review
    - iii. JusticeXchange review
    - iv. Court Connect review
  - b. Maltreatment Registry Checks
  - c. Arkansas Department of Finance and Administration (DFA), and
  - d. Division of Driver Services Traffic Violation Report (when applicable)
    - i. If the NCIC/ACIC report reveals ten (10) or more points assessed against an applicant's driver's license or reveals that a license is suspended or not valid, the applicant is not eligible for hire if the position they applied for requires a driver's license or requires driving on state business.
    - ii. An applicant is not eligible for hire into a position that requires driving on state business if they have had a DWI within the last three (3) years that appears on their Traffic Violation Record (TVR) which is maintained by DFA Office of Driver Services.
  - e. At least two (2) employment reference checks, unless waived by the Central Human Resources Administrator or their designee
  - f. Drug test screening

- g. A physical assessment (for law enforcement and correctional officers only)
  - h. A tuberculosis skin test for any Employee (excluding ACC field services staff) in contact with residents/offenders, regardless of location (e.g., administrative offices)
  - i. An assessment of the ability to perform Essential Job Functions
  - j. If an applicant previously worked for a law enforcement agency, references are required from all the respective agencies
3. If results from the pre-employment screening are satisfactory, Central Human Resources Office will make a final offer of employment to the selected applicant
  4. If the final offer of employment is accepted by the selected applicant, all other applicants will be notified of the decision by Central Human Resources Office

I. Special Considerations for Current or Former Employees of the Department

1. Promotion.
  - a. Employees of the Department may apply for a Promotion from their current position provided a vacancy has been advertised. A completed state application must be received during the advertisement period.
  - b. The applicant will be considered with all other qualified applicants in the interview process.
  - c. Approved Promotions should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to their supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.
  - d. If an employee is promoting from a non-CLEST position to a CLEST certified position, they must complete a CLEST Certified Position Probationary Period Acknowledgement form (Attachment #3) to certify their understanding of the mandatory one (1) year probationary period associated with the promotion.
2. Transfer.
  - a. Administrative Transfer. The Secretary or appropriate Division Director may Transfer an Employee to another location or another classification (at the same grade) when the Transfer is in the best interest of the Department.
  - b. Voluntary Transfer. An Employee of the Department may request a voluntary Transfer from a position classification at one location to the same position classification at another location provided there is an open advertisement for that position at the desired location.
    - i. It is the applicant's responsibility to apply for the open position via the ARCareers website.
    - ii. It is the applicant's responsibility to attach a completed Employee Request for Transfer form (Attachment #1) to the application in ARCareers signed by releasing and receiving official.
    - iii. The Hiring Official has the option of selecting a Transfer applicant in lieu of interviewing for the vacant position.
  - iv. Employees who are currently on Disciplinary Probation are not eligible to Transfer.
  - v. A request must be submitted to an Employee's Human Resources (HR) Representative at the Unit or Local office for review and approval or denial.
    - a) The Unit or Local HR Representative must forward the request to the appropriate Deputy Director, Assistant Director, Administrator, or the Chief of Staff for review.
    - b) Once a determination is made, the request must be forwarded to the CHRA or their designee.
  - vi. Approved Transfers should occur within two (2) weeks following the Employee's acceptance of

the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor. The delay or denial of a transfer between Divisions is at the discretion of the Secretary or their designee.

### 3. Demotion.

- a. **Administrative Demotion.** Employees may be demoted to a lower-graded position classification in accordance with provisions of the Department Employee Conduct Standards and Discipline Secretarial Directive. All Demotions must be approved by the Secretary, Division Director, or their designee. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
- b. **Voluntary Demotion.** Employees of the Department may request a voluntary Demotion from their current position classification at one location to a lower graded position classification at the same or at another location, provided a vacancy has been advertised. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
  - i. The twelve (12) month timeline remains in effect even if the employee is no longer employed with the Department. For example, an employee voluntarily demotes from a GS06 to a GS05 on 2/1/2022. The employee subsequently accepts employment with an outside entity on 5/1/2022. On 9/1/2022, the former employee applies for a GS07 position within the DOC. The former employee is ineligible to be hired in the GS07 position until 2/1/2023.
  - ii. A completed state application via the ARCareers website must be received during the advertisement period.
  - iii. The applicant will be considered with all other qualified applicants during the hiring process.
  - iv. Approved Demotions should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.
  - v. A request for demotion must be submitted to your HR Representative at the Unit or Local office for review and approval or denial.
    - a) The Unit or Local HR Representative must forward the request for demotion to the appropriate Deputy Director, Assistant Director, Administrator, or the Chief of Staff for review.
    - b) Once a determination is made, the request must be forwarded to the CHRA or their designee.
  - vi. Only the appropriate Deputy or Assistant Director or the Chief of Staff has the authority to approve or deny a voluntary demotion from their respective Division.
- c. **Change in Pay.** When an Employee is voluntarily or administratively demoted to a classification one or more grades below the classification within their current pay grid, a base salary decrease of 10% will be required. Demotions may result in a change in pay greater than 10% if the maximum allowed salary for the position an Employee is demoted to is greater than 10% of their current salary.
- d. A completed Demotion Acknowledgement Form (Attachment #2) must be filled out by the employee demoting positions and retained by their local Human Resources Office.

### 4. Rehire.

- a. The Central Human Resources Office will review Rehire applications and related previous work history to determine the reason(s) the Employee terminated employment with the Department.

- b. Applications from persons not recommended for Rehire will not be considered for at least twelve (12) months from their date of termination; however, the HR Administrator may approve Rehire after six (6) months upon request of the Hiring Official if termination was unrelated to either lying or making false statements, contraband, or inappropriate relationships with offenders, unless the Employee left pending an investigation. Applications from persons convicted of certain felonies, who committed violations of policy, or displayed certain unacceptable behaviors shall not be considered.
    - i. Although a criminal Conviction does not automatically disqualify an applicant for rehire, discretionary approval based on the nature of the offense and job duties is required from the Secretary, Chief of Staff, or the appropriate Division Director.
  - c. Potential Rehire Applicants for security positions will only be considered for employment at the last unit of assignment if less than one (1) year from termination date, however if the termination date is one (1) year or longer, the applicant may be considered for employment at other units/facilities.
  - d. A rehired Employee that was not recommended for Rehire will not be eligible to apply for a Promotion for one (1) year from the Rehire date.
  - e. Any deviation from Rehire restrictions must be approved by the Secretary or Chief of Staff.
5. Fiscal and IT Positions. Incumbent Employees who promote or demote to a position in areas that involve fiscal, or IT duties must have a background check completed and submitted prior to transfer, Promotion, or Demotion. These background checks will be updated at least every five (5) years. Although a criminal Conviction does not automatically disqualify an applicant, discretionary approval based on the nature of the offense and job duties is required from the Secretary, Chief of Staff, or the appropriate Division Director.
6. Staff shall not be permitted to submit leave to start another job in lieu of a two (2) week notice.

#### **IV. PROCEDURES MANUAL AND REQUIRED FORMS**

Central Human Resources shall develop standard operating procedures and required forms to guide the employment process. The forms will be placed on the Department intranet site (DOC Connect) and are also available upon request from Central Human Resources.

#### **V. ATTACHMENTS**

Attachment 1. Employee Request for Transfer Form Attachment 2.

Demotion Acknowledgement Form

Attachment 3. CLEST Certified Position Probationary Period Acknowledgement Form

Department of Corrections  
SHARED SERVICES  
Human Resources



2403 East Harding Ave.  
Pine Bluff, AR 71601  
Phone: (870) 850-8510  
Fax: (870) 850-8550

### Employee Request for Demotion or Transfer

Demotion  Transfer

Complete the following information and forward to your Administrator, Warden, or Area Manager.

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Current Job Title: \_\_\_\_\_

Location: \_\_\_\_\_ Grade: \_\_\_\_\_ Requesting Job Title: \_\_\_\_\_

Location: \_\_\_\_\_ Grade: \_\_\_\_\_ If position is currently being advertised, list position #: \_\_\_\_\_

Reason for Request:

Are you requesting to leave from one facility or office to another? If requesting to move to a different facility, is there anyone you know serving a sentence at the requested facility?

Yes: \_\_\_ No: \_\_\_ N/A: \_\_\_ Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

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Approved  Denied  Reason: \_\_\_\_\_

\_\_\_\_\_  
Current Administrator/Warden/Area Manager

\_\_\_\_\_  
Date

Release Date: \_\_\_\_\_

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Approved  Denied  Reason: \_\_\_\_\_

\_\_\_\_\_  
Requested Administrator/Warden/Area Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Division Director or Assistant/Deputy Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources Administrator

\_\_\_\_\_  
Date

Department of Corrections  
SHARED SERVICES  
Human Resources



2403 East Harding Ave. Pine  
Bluff, AR 71601 Phone: (870)  
850-8510  
Fax: (870) 850-8550

## DEMOTION ACKNOWLEDGEMENT FORM

I, \_\_\_\_\_, understand and agree to the following  
(Printed Employee Name)

conditions with my demotion from \_\_\_\_\_ to  
(Current Position Title)

\_\_\_\_\_  
(New Position Title)

(Initial each line)

\_\_\_ My salary will decrease by 10 % according to the state law and policy set forth by the Office of Personnel Management. I understand my salary cannot exceed the max salary for the assigned pay grade.

\_\_\_ I understand that I will also lose any incentive pay (Hazard Duty, Max, Geographic, Certification) associated with the current position when going to the new position.

\_\_\_ I will not be eligible to promote for twelve (12) months following the effective date of the demotion as stated in the Department's Employment policy.

Write a brief statement detailing why you want to demote.

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I fully understand what I am signing, and I do so freely and willingly.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Retain Copy at Unit/Office

**Department of Corrections**  
SHARED SERVICES  
Human Resources



2403 East Harding Ave.  
Pine Bluff, AR 71601  
Phone: (870) 850-8510  
Fax: (870) 850-8550

**CLEST CERTIFIED POSITION PROBATIONARY  
PERIOD ACKNOWLEDGEMENT**

This acknowledgement confirms your understanding of the one (1) year certification probationary period for appointment from a non-CLEST certified status to a CLEST certified status. This probationary period is not punitive and does not prohibit promotions or transfers.

I understand that the one (1) year certification probationary period starts at the time of my appointment to a CLEST certified position. I understand that this probationary period is not a disciplinary or initial probation period and does not prevent my ability to be promoted or transferred.

---

**NAME**

---

**AASIS #**

---

**DATE**



## OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C  
North Little Rock, Arkansas 72114  
Phone: (501) 682-3309 | Fax: (501) 534-3958  
DOC.ARKANSAS.GOV

### SECRETARIAL DIRECTIVE

**SUBJECT:** Employment

**NUMBER:** 2024-03

**SUPERSEDES:** 2022-04

**APPLICABILITY:** All Department of Corrections Employees, excluding commissioners of the Parole Board, Correctional School Employees, Directors, commissioners of the Arkansas Sentencing Commission, and members of the Criminal Detention Facility Review Board

**REFERENCE:** A.C.A. §§ 12-26-105, 12-27-123, 16-90-802, 16-93-201, 21-3-302, 21-5-208, 25-43-105, 25-43-108, and 25-43-403; OPM Policy #5 Employee Disclosure and OPM Policy # 8 Advertising a Job and Filling a Position

**PAGE:** 1 of 10

**ISSUED BY:** Original signature on file

**EFFECTIVE DATE:** 7/3/2024

#### I. POLICY:

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. All employees of the Department are under the direct supervision of the Secretary, except those excluded by this policy. This directive is intended to ensure that the Department will, as an Equal Opportunity Employer, implement fair and consistent employment policies.

#### II. DEFINITIONS:

- A. At Will Employment. All Employees are “at will” under Arkansas Law. The employer or the Employee may terminate the employment relationship at any time. Termination may be for any reason or no reason. Advance notice is not required to terminate the employment relationship.
- B. Class or Classification. A group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training, skills, experience, and of skill that the same title, scale of compensation, and same test of fitness (if applicable) have been or may be applied.
- C. Conditional Offer of Employment. An offer of employment based upon an applicant meeting certain job-related requirements prior to hire and/or during the Probationary Period.
- D. Conviction. A Conviction may include, but is not limited to a guilty plea, plea of nolo contendere, negotiated plea, or finding of guilt by a judge or jury. For the purposes of this policy, an adverse ruling in a civil case is not considered a Conviction.
- E. Demotion. A change in duty assignment of an Employee from a position in one classification to a position of a lower salary and grade requiring fewer qualifications, such as lower skill requirements, less job-related experience, and a lower level of responsibility.



- F. Employee. A person appointed or employed in a position with the Department for which they are compensated on a part-time or full-time basis, and which has a class title and pay grade in A.C.A. § 21- 5-208.
- G. Essential Job Functions. The fundamental duties of a job or position. The documented responsibilities or tasks a person holding the job absolutely must be able to perform.
- H. Hiring Official. Administrators, Heads of Sections, Area Managers, Center Supervisors, Wardens, Superintendents, or higher who are authorized to make a final selection of applicants for positions available within the Department.
- I. Law Enforcement Officer (LEO). Any Employee designated by a Division Director or the Secretary who has met or is in the process of meeting Commission of Law Enforcement Standards and Training (CLEST) certification.
- J. New Hire. Employees entering state service with the Department for the first time.
- K. Probationary Period. A time during which the Department may evaluate an Employee's suitability in terms of knowledge, skill, ability, character, interest, and conduct to determine whether employment should be continued. A Department Employee that promotes or Transfers to another job classification will have a six (6) month Probationary Period in the new position unless otherwise specified. Specific Probationary Periods include:
1. Initial Probation. A period of (1) one-year probation which begins upon initial hire with the Department.
  2. Disciplinary Probation. A period of six (6) to twelve (12) months of increased scrutiny due to a violation of the Department's Code of Ethics or Conduct policy.
  3. Certification Probation. A Department Employee that demotes, promotes, is appointed, or hired into a new position subject to CLEST training standards will be required to serve a one (1) year Probationary Period (i.e., hired as a probation/parole officer) as outlined in the provisions in this policy. Employees transferring or promoting from one CLEST position to a different CLEST position are only subject to the six (6) month Probationary Period and do not fall under the provisions for the Certification Probation.
    - a. This probationary period does not prohibit transfer or promotion and is not considered an Initial Probation period or Disciplinary Probation period. This probation period does not exclude an Employee from having grievance rights. An Employee may be on Transfer probation or Promotion probation while on Certification Probation which may prevent their ability for Transfer or Promotion.
    - b. Employees moving from non-CLEST certified status to CLEST certified status will have a one (1) year Certification Probation period and will be required to complete a CLEST Certified Position Probationary Period Acknowledgement (Attachment #3).
- L. Promotion. A change in duty assignment of an Employee from a position in one classification to another position with a higher salary or grade requiring higher qualifications, such as greater skill, more experience, or involving a higher level of responsibility.
- M. Rehire. Employee returning to state service with the Department after a break in employment of two (2) or more pay periods.
- N. Resignation. An act or instance of renouncing or giving up a position.
- O. Transfer. Employees transferring between state agencies, institutions, or laterally within the divisions of the Department without a break in service.
- P. Veteran. For purposes of this policy, Veteran means a person honorably discharged from a tour of active duty, other than active duty for training only, with the US Armed Forces; or any person who has

served honorably in the National Guard or a reserve component of the US Armed Forces for a period of at least six (6) years, whether the person has retired or been discharged or not.

- Q. Waiver. A request to have Promotion limitations by a current Employee who is applying for a lateral or promotional position within the Department.

### **III. PROCEDURES**

#### **A. Exclusions**

1. The provisions of this Directive do not govern the selection or removal of members of the Parole Board. The selection or removal of Parole Board Members is governed by A.C.A. § 16-93-201.
2. The Employees of the Correctional School are governed by the personnel policies set by the Board of Corrections (when convened as the Board of Education for the Arkansas Correctional School District).
3. The provisions of this Directive do not govern the selection or removal of the Director or members of the Arkansas Sentencing Commission (ASC). The selection or removal of the Director or members of the ASC is governed by A.C.A. § 16-90-802.
4. The provisions of this Directive do not govern the selection or removal of members of the Criminal Detention Review Committee (CDRC). The selection or removal of the CDRC members is governed by A.C.A. § 12-26-105.

#### **B. Position Vacancies**

1. The Hiring Official or their designee must create a job requisition in SuccessFactors before beginning the process of filling any vacant position.
2. Except as provided below, positions must be advertised according to procedures established by the Office of Personnel Management (OPM).
  - a. Positions graded at or above GS13, IT08, MP03, or SE01 are not required to be advertised. The Secretary, Division Directors, or their designee has the authority and discretion to appoint or transfer individuals into these classifications.
  - b. Emergency Hires. A position designated as an emergency hire must have OPM approval before the position can be filled. An emergency hire is only permitted when the delay of advertising a vacancy would have an immediate effect on the public welfare, health, and safety.
  - c. Any other position authorized by the Governor.
3. A request for advertisement of a position that requires additional actions (newspapers or websites) must be submitted to and coordinated by the Central Human Resources Office.

#### **C. Applications, Minimum Qualifications, and Pre-Interview Scoring**

1. Applications.
  - a. Applications will be submitted/reviewed by the Central Human Resources Office. b. Applications must be submitted via the ARCareers website at [arcareers.arkansas.gov](http://arcareers.arkansas.gov).
  - c. In the case of positions advertised on social media or other platforms in addition to the ARCareers website, no application information may be solicited or accepted via the external platform. The platform is only to be used as a mechanism to direct potential applicants to the ARCareers job listing.
2. Minimum Qualifications.
  - a. After the job posting closes, the Central Human Resources Office will review applications and create a list of applicants who meet minimum qualifications.
  - b. Applicants who meet minimum qualifications will move on to Pre-Interview Scoring. Those

applicants who do not meet minimum qualifications will be notified by Central Human Resources that they did not meet minimum qualifications for the position, and the reason(s) why.

3. Pre-Interview Scoring. After notifying those applicants who do not meet minimum qualifications, Central Human Resources Office will examine applications and provide a Pre-Interview Score for each applicant. The Pre-Interview analysis will be scored as follows.

- a. Education. The applicant must meet minimum requirements for the job classification or must be approved as a qualified applicant per state requirements. All degrees, diplomas, or transcripts received must be from an institution accredited by the applicable Arkansas Department of Education or an accrediting body recognized by the U.S. Department of Education. The chart below details the appropriate number of based on the minimum requirements and the applicant’s educational level.
  - i. A maximum of ten (10) points may be awarded for an applicant for completion of related education above and beyond the minimum educational requirements for the position.
  - ii. Applicants may be awarded Pre-Interview Score points based on their application without submitting a copy of the diploma or degree showing the award of the educational level, but a copy is required to be submitted prior to hiring.

Minimum Required Education	HS Diploma/ GED	Associates Degree	Bachelors Degree	Masters Degree	JD, PhD, MD, or Terminal Degree
High School Diploma/GED	0 pts	2.5 pts	5 pts	7.5 pts	10 pts
Associate Degree	N/A	0 pts	2.5 pts	5 pts	7.5 pts
Bachelors Degree	N/A	N/A	0 pts	2.5 pts	5 pts
Masters Degree	N/A	N/A	N/A	0 pts	2.5 pts
JD, PhD, MD, or Terminal Degree	N/A	N/A	N/A	N/A	0 pts

b. Experience. An applicant’s experience for the job is awarded one-quarter (0.25) points for each month of related experience exceeding the minimum requirements, up to a maximum of ten (10) points. Work credit will only be given for paid positions (including those under the MyARInternship program), internships under an accredited higher education program relative to the experience, or educational qualifications for the position.

c. Veteran’s Preference. Pursuant to A.C.A. § 21-3-302, an applicant may qualify for Veteran’s Preference points.

- i. The Department provides Veteran’s Preference to an individual who:
  - a) Indicates on the employment application that they are:
    - 1. A Veteran.
    - 2. A disabled Veteran
    - 3. The spouse of a disabled Veteran
    - 4. The surviving spouse of a deceased Veteran who is unmarried at the time of application for employment and remains unmarried until the decision to hire is made
  - b) A resident of Arkansas
  - c) Meets minimum qualifications for the position to which the individual applied.
- ii. Veterans Preference will be scored as either five (5) or ten (10) points.
  - a) Ten (10) points will be awarded if:

1. The applicant establishes the existence of a service-connected disability.
2. The Veteran is over fifty-five (55) years of age, disabled, and entitled to a pension or compensation under existing laws.
3. The applicant is the spouse of a Veteran with a service-related disability whose disability disqualifies them for selection.

b) Five (5) points will be awarded if the applicant establishes qualifications for Veteran's preference but does not meet the criteria for being awarded ten (10) points.

iii. An applicant may voluntarily submit official proof of their status as a Veteran, disabled Veteran, spouse, or a surviving spouse of a deceased Veteran to receive Veteran's preference points.

D. Total Pre-Interview Score. Central Human Resources Office will add Veteran's Preference Points to Education points (total max points allowed) and Experience points to get a Pre-Interview Score.

E. Selecting Applicants for Interview

1. After creating a list of applicants who meet minimum qualifications and evaluating those applicants using the Pre-Interview Scoring qualification, Central Human Resources Office will provide the Hiring Official with a list of qualified applicants and their Pre-Interview Score.
2. All applicants who indicate Veteran's status shall be interviewed if they meet minimum qualifications for the position.
3. The Hiring Official will select which applicants to interview.
  - a. The Hiring Official may decline to interview an applicant with a documented history of two (2) or more "no show", no cancellation, and no follow up contact for previous interview appointments.
  - b. An applicant may not be selected for an interview (excluding veterans) unless each applicant with the same or higher Pre-Interview Score is selected for interview. For example, to interview an applicant with a Pre-Interview Score of seven (7), the Hiring Official must offer an interview to all applicants with a Pre-Interview Score of seven (7) through ten (10).
  - c. If an applicant is rehired after a previous "no rehire" recommendation, they must serve a mandatory one (1) year probationary term beginning at the latest rehire date before they are eligible for promotion.
  - d. Staff on probation (excluding probation for disciplinary reasons) are required to request a waiver prior to applying for a position.
    - i. The request for a waiver shall be routed through the Central Human Resources Administrator (CHRA).
    - ii. The waiver will be forwarded to the appropriate Division Director, the Secretary, or their designee and may be approved or denied at their discretion.
    - iii. A waiver decision not received by the closing date of the job advertisement shall be considered a denial.

F. Interviews

1. Interview Committee
  - a. The Hiring Official selects the interview committee.
  - b. The interview committee must consist of two (2) or more current Employees from the Department.
  - c. Employees serving on the interview committee must be the same or higher grade as the advertised grade and familiar with the knowledge, skills, and abilities of the position being filled.
  - d. The Hiring Official may elect to bypass the committee for non-exempt positions, except for entry level Parole/Probation Officer.

- e. The Hiring Official may serve on the interview committee but is not required to do so.

## 2. Interview Questions

- a. The Hiring Official, in consultation with the CHRA or their designee, must create interview questions based on the knowledge, skills, and abilities (KSA) of the job, as designated by the official job duties and specifications.
  - i. There must be at least one question for each KSA.
  - ii. The Hiring Official must rank each question in order of importance.
- b. The interview committee, or Hiring Official if a committee is bypassed, will use the interview questions to interview each applicant.
  - i. All applicants should be asked the same questions, and all applicants should be asked every interview question.
  - ii. Each member of the interview committee will score each question for each applicant.

## 3. Interview Score

- a. Total interview scores will be calculated by Unit Human Resources, Local Human Resources, or Central Human Resources based upon the assigned Hiring Official.
  - i. The applicable Human Resources Office will average the scores of interview committee members for each interview question.
  - ii. Each averaged score will be weighted based on the priority assigned by the Hiring Official, resulting in a weighted interview score.
- b. An applicant will not be considered for the position without a weighted interview score of at least seventy percent (70%).

## G. Selecting an Applicant

1. The Education Pre-Interview Score, Experience Pre-Interview Score, and Veteran's Preference Pre-Interview Score will be added to the Interview Score to determine the highest scoring applicants.
2. A Hiring Official may elect to grant a second interview to the three (3) highest scoring applicants if the Hiring Official did not participate in the initial interviews.
3. The Hiring Official will select which applicant to offer the position to. If the Hiring Official does not select the highest scoring applicant, they must submit written justification for selecting an applicant other than the highest scoring applicant. This justification must state in clear and unambiguous terms why the selected applicant was chosen over the highest scoring applicant. The CHRA will review and approve or deny the justification. If approved, the justification will become a part of the applicant's interview packet.
4.
  - a. The Department shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who:
    - i. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
    - ii. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
    - iii. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(ii) of this section.

- b. The Department shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.
- c. Before hiring new employees who may have contact with inmates, the Department shall:
  - i. Perform a criminal background records check; and.
  - ii. Consistent with Federal, State, and local law, make the best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- d. The Department shall conduct criminal background records checks at least every five years of current employees who may have contact with inmates or have in place a system for otherwise capturing such information for current employees.
- e. The Department shall ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions and in any interviews or written self- evaluations conducted as part of reviews of current employees. The Department shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.
- f. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
- g. Unless prohibited by law, the Department shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

#### H. Pre-Employment Screening and Offer of Employment

- 1. Upon notification that an applicant has been selected, Human Resources will contact the selected applicant with a Conditional Offer of Employment and begin pre-employment screening.
- 2. Pre-employment screening shall include, but is not limited to the following components:
  - a. Comprehensive criminal background checks run against law enforcement indexes, including but not limited to:
    - i. National Crime Information Center (NCIC) record review
    - ii. Arkansas Crime Information Center (ACIC) record review
    - iii. JusticeXchange review
    - iv. Court Connect review
  - b. Maltreatment Registry Checks
  - c. Arkansas Department of Finance and Administration (DFA), and
  - d. Division of Driver Services Traffic Violation Report (when applicable)
    - i. If the NCIC/ACIC report reveals ten (10) or more points assessed against an applicant's driver's license or reveals that a license is suspended or not valid, the applicant is not eligible for hire if the position they applied for requires a driver's license or requires driving on state business.
    - ii. An applicant is not eligible for hire into a position that requires driving on state business if they have had a DWI within the last three (3) years that appears on their Traffic Violation Record (TVR) which is maintained by DFA Office of Driver Services.
  - e. At least two (2) employment reference checks, unless waived by the Central Human Resources Administrator or their designee
  - f. Drug test screening

- g. A physical assessment (for law enforcement and correctional officers only)
  - h. A tuberculosis skin test for any Employee (excluding ACC field services staff) in contact with residents/offenders, regardless of location (e.g., administrative offices)
  - i. An assessment of the ability to perform Essential Job Functions
  - j. If an applicant previously worked for a law enforcement agency, references are required from all the respective agencies
3. If results from the pre-employment screening are satisfactory, Central Human Resources Office will make a final offer of employment to the selected applicant
  4. If the final offer of employment is accepted by the selected applicant, all other applicants will be notified of the decision by Central Human Resources Office

I. Special Considerations for Current or Former Employees of the Department

1. Promotion.

- a. Employees of the Department may apply for a Promotion from their current position provided a vacancy has been advertised. A completed state application must be received during the advertisement period.
- b. The applicant will be considered with all other qualified applicants in the interview process.
- c. Approved Promotions should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to their supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.
- d. If an employee is promoting from a non-CLEST position to a CLEST certified position, they must complete a CLEST Certified Position Probationary Period Acknowledgement form (Attachment #3) to certify their understanding of the mandatory one (1) year probationary period associated with the promotion.

2. Transfer.

- a. Administrative Transfer. The Secretary or appropriate Division Director may Transfer an Employee to another location or another classification (at the same grade) when the Transfer is in the best interest of the Department.
- b. Voluntary Transfer. An Employee of the Department may request a voluntary Transfer from a position classification at one location to the same position classification at another location provided there is an open advertisement for that position at the desired location.
  - i. It is the applicant's responsibility to apply for the open position via the ARCareers website.
  - ii. It is the applicant's responsibility to attach a completed Employee Request for Transfer form (Attachment #1) to the application in ARCareers signed by releasing and receiving official.
  - iii. The Hiring Official has the option of selecting a Transfer applicant in lieu of interviewing for the vacant position.
- iv. Employees who are currently on Disciplinary Probation are not eligible to Transfer.
- v. A request must be submitted to an Employee's Human Resources (HR) Representative at the Unit or Local office for review and approval or denial.
  - a) The Unit or Local HR Representative must forward the request to the appropriate Deputy Director, Assistant Director, Administrator, or the Chief of Staff for review.
  - b) Once a determination is made, the request must be forwarded to the CHRA or their designee.
- vi. Approved Transfers should occur within two (2) weeks following the Employee's acceptance of

the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor. The delay or denial of a transfer between Divisions is at the discretion of the Secretary or their designee.

### 3. Demotion.

- a. **Administrative Demotion.** Employees may be demoted to a lower-graded position classification in accordance with provisions of the Department Employee Conduct Standards and Discipline Secretarial Directive. All Demotions must be approved by the Secretary, Division Director, or their designee. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
- b. **Voluntary Demotion.** Employees of the Department may request a voluntary Demotion from their current position classification at one location to a lower graded position classification at the same or at another location, provided a vacancy has been advertised. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
  - i. The twelve (12) month timeline remains in effect even if the employee is no longer employed with the Department. For example, an employee voluntarily demotes from a GS06 to a GS05 on 2/1/2022. The employee subsequently accepts employment with an outside entity on 5/1/2022. On 9/1/2022, the former employee applies for a GS07 position within the DOC. The former employee is ineligible to be hired in the GS07 position until 2/1/2023.
  - ii. A completed state application via the ARCareers website must be received during the advertisement period.
  - iii. The applicant will be considered with all other qualified applicants during the hiring process.
  - iv. Approved Demotions should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.
  - v. A request for demotion must be submitted to your HR Representative at the Unit or Local office for review and approval or denial.
    - a) The Unit or Local HR Representative must forward the request for demotion to the appropriate Deputy Director, Assistant Director, Administrator, or the Chief of Staff for review.
    - b) Once a determination is made, the request must be forwarded to the CHRA or their designee.
  - vi. Only the appropriate Deputy or Assistant Director or the Chief of Staff has the authority to approve or deny a voluntary demotion from their respective Division.
- c. **Change in Pay.** When an Employee is voluntarily or administratively demoted to a classification one or more grades below the classification within their current pay grid, a base salary decrease of 10% will be required. Demotions may result in a change in pay greater than 10% if the maximum allowed salary for the position an Employee is demoted to is greater than 10% of their current salary.
- d. A completed Demotion Acknowledgement Form (Attachment #2) must be filled out by the employee demoting positions and retained by their local Human Resources Office.

### 4. Rehire.

- a. The Central Human Resources Office will review Rehire applications and related previous work history to determine the reason(s) the Employee terminated employment with the Department.



- b. Applications from persons not recommended for Rehire will not be considered for at least twelve (12) months from their date of termination; however, the HR Administrator may approve Rehire after six (6) months upon request of the Hiring Official if termination was unrelated to either lying or making false statements, contraband, or inappropriate relationships with offenders, unless the Employee left pending an investigation. Applications from persons convicted of certain felonies, who committed violations of policy, or displayed certain unacceptable behaviors shall not be considered.
    - i. Although a criminal Conviction does not automatically disqualify an applicant for rehire, discretionary approval based on the nature of the offense and job duties is required from the Secretary, Chief of Staff, or the appropriate Division Director.
  - c. Potential Rehire Applicants for security positions will only be considered for employment at the last unit of assignment if less than one (1) year from termination date, however if the termination date is one (1) year or longer, the applicant may be considered for employment at other units/facilities.
  - d. A rehired Employee that was not recommended for Rehire will not be eligible to apply for a Promotion for one (1) year from the Rehire date.
  - e. Any deviation from Rehire restrictions must be approved by the Secretary or Chief of Staff.
5. Fiscal and IT Positions. Incumbent Employees who promote or demote to a position in areas that involve fiscal, or IT duties must have a background check completed and submitted prior to transfer, Promotion, or Demotion. These background checks will be updated at least every five (5) years. Although a criminal Conviction does not automatically disqualify an applicant, discretionary approval based on the nature of the offense and job duties is required from the Secretary, Chief of Staff, or the appropriate Division Director.
6. Staff shall not be permitted to submit leave to start another job in lieu of a two (2) week notice.

#### **IV. PROCEDURES MANUAL AND REQUIRED FORMS**

Central Human Resources shall develop standard operating procedures and required forms to guide the employment process. The forms will be placed on the Department intranet site (DOC Connect) and are also available upon request from Central Human Resources.

#### **V. ATTACHMENTS**

Attachment 1. Employee Request for Transfer Form Attachment 2.

Demotion Acknowledgement Form

Attachment 3. CLEST Certified Position Probationary Period Acknowledgement Form

Department of Corrections  
SHARED SERVICES  
Human Resources



2403 East Harding Ave.  
Pine Bluff, AR 71601  
Phone: (870) 850-8510  
Fax: (870) 850-8550

### Employee Request for Demotion or Transfer

Demotion  Transfer

Complete the following information and forward to your Administrator, Warden, or Area Manager.

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Current Job Title: \_\_\_\_\_

Location: \_\_\_\_\_ Grade: \_\_\_\_\_ Requesting Job Title: \_\_\_\_\_

Location: \_\_\_\_\_ Grade: \_\_\_\_\_ If position is currently being advertised, list position #: \_\_\_\_\_

Reason for Request:

Are you requesting to leave from one facility or office to another? If requesting to move to a different facility, is there anyone you know serving a sentence at the requested facility?

Yes: \_\_\_ No: \_\_\_ N/A: \_\_\_ Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Approved  Denied  Reason: \_\_\_\_\_

\_\_\_\_\_  
Current Administrator/Warden/Area Manager

\_\_\_\_\_  
Date

Release Date: \_\_\_\_\_

Approved  Denied  Reason: \_\_\_\_\_

\_\_\_\_\_  
Requested Administrator/Warden/Area Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Division Director or Assistant/Deputy Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources Administrator

\_\_\_\_\_  
Date

Department of Corrections  
SHARED SERVICES  
Human Resources



2403 East Harding Ave. Pine  
Bluff, AR 71601 Phone: (870)  
850-8510  
Fax: (870) 850-8550

## DEMOTION ACKNOWLEDGEMENT FORM

I, \_\_\_\_\_, understand and agree to the following  
(Printed Employee Name)

conditions with my demotion from \_\_\_\_\_ to  
(Current Position Title)

\_\_\_\_\_  
(New Position Title)

(Initial each line)

\_\_\_ My salary will decrease by 10 % according to the state law and policy set forth by the Office of Personnel Management. I understand my salary cannot exceed the max salary for the assigned pay grade.

\_\_\_ I understand that I will also lose any incentive pay (Hazard Duty, Max, Geographic, Certification) associated with the current position when going to the new position.

\_\_\_ I will not be eligible to promote for twelve (12) months following the effective date of the demotion as stated in the Department's Employment policy.

Write a brief statement detailing why you want to demote.

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I fully understand what I am signing, and I do so freely and willingly.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Retain Copy at Unit/Office

**Department of Corrections**  
SHARED SERVICES  
Human Resources



2403 East Harding Ave.  
Pine Bluff, AR 71601  
Phone: (870) 850-8510  
Fax: (870) 850-8550

**CLEST CERTIFIED POSITION PROBATIONARY  
PERIOD ACKNOWLEDGEMENT**

This acknowledgement confirms your understanding of the one (1) year certification probationary period for appointment from a non-CLEST certified status to a CLEST certified status. This probationary period is not punitive and does not prohibit promotions or transfers.

I understand that the one (1) year certification probationary period starts at the time of my appointment to a CLEST certified position. I understand that this probationary period is not a disciplinary or initial probation period and does not prevent my ability to be promoted or transferred.

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**NAME**

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**AASIS #**

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**DATE**