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Steven Harpe, Director Oklahoma Department of Corrections		Signature on File	

## Hiring and Promotional Procedures

The Oklahoma Department of Corrections (ODOC) may fill positions through the promotion, demotion, or lateral transfer of state employees or from a certified list of external applicants, according to applicable Civil Service Rules, laws, and these procedures. (2-CO-1C-01, 5-ACI-1C-11, 4-APPFS-3E-08, 4-APPFS-3E-09)

Except when otherwise noted, the appointments of employees into positions identified as exempt from the provisions of the Civil Service Act or temporary employee are not subject to these procedures.

No person in the selection process will be favored or discriminated against because of political or religious opinions or affiliations, race, creed, gender, color, age, national origin, or by reason of any physical handicap so long as the physical handicap does not render the employee unable to do the work for which employed. [74 O.S. § 840-2.9.A. & 954] (2-CO-1C-09, 4-ACRS-7E-05, 4-APPFS-3E-04)

### I. Announcements

#### A. Requests to Fill Positions

A facility/unit may announce a position to be filled if the position has been assigned to the agency’s full-time employee (FTE) matrix for that facility/unit, is vacant or the facility/unit has reason to anticipate such vacancy, and the position has been allocated and assigned to a job family and level in accordance with [OP-110260](#) entitled “Job Classification Procedures.”

The facility/unit will email the designated human resources management specialist (HRMS) to request the position be posted. The HRMS will complete the HCM-92 utilizing the electronic HCM-92 (E92) process to announce positions.

#### B. Posting Notices

All job vacancies will be posted (Civil Service Rule 260:130-17-6) in [Workday@OK](#). Each announced position will list a copy of the job descriptor. (2-CO-1C-07, 2-CO-1C-08, 4-ACRS-7E-08 b#1, b#2, 4-APPFS-

3D-19)

The agency will post the "Applicant Information" ([Attachment A](#), attached) notifying applicants of additional rights or requirements about the application process (e.g., reasonable accommodation, drug testing, and background investigation). (5-ACI-1C-07, 4-ACRS-7E-03, 4-APPFS-3E-03, 4-APPFS-3E-04)

1. Content of the job announcement:

- a. The job class title and job family level of the vacancy or vacancies; (4-ACRS-7E-08 b#1)
- b. Hiring rate;
- c. The specific work location for the vacancy or vacancies;
- d. The closing date and closing time of 11:59 p.m. Applications not submitted by the closing time on the closing date cannot be accepted;
- e. Any additional factors the agency considers in filling the vacancy such as:
  - (1) Selective qualifications for education or experience; (4-ACRS-7E-08 b#3)
  - (2) Preferred qualifications for the job which exceed the minimum or are in a specialized area (e.g., college degree for correctional case managers or unit managers); or (4-ACRS-7E-08 b#4)
  - (3) Demonstration of specific skills (e.g., submission of a writing sample).

II. Applicant Preferences and Eligibility

A. Statutory Promotional Preferences

The agency will give preference to:

1. Qualified agency applicants when the merit, ability, and capacity of employee applicants are relatively equal to that of outside applicants (5-ACI-1C-10, 4-ACRS-7B-04); and
2. Seniority as a factor when merit, ability, and capacity are relatively equal among agency applicants.

B. First Preference (2-CO-1C-09-1)

Any qualified employee who has filed a workers' compensation claim and is eligible for first preference, in accordance with 74 O.S § 840-2.21.F., will be placed in any appropriate position under [OP-110345](#) entitled "Workers' Compensation Insurance."

C. Certification of Qualification for All Positions (5-ACI-1C-10, 4-APPFS-7B-04)

Before appointment to any position, Human Resources will certify that the applicants meet the minimum qualifications for the position.

D. Hiring of Ex-Inmates/Offenders

Ex-inmate/offender status will not prevent employment unless prohibited by law; however, the agency director's written approval is required before any ex-inmate/offender appointment. (2-CO-1C-10, 5-ACI-1C-08, 4-ACRS-7E-06, 4-APPFS-3E-07)

E. Additional Eligibility Requirements

Following a conditional offer of employment and prior to entering on duty, applicants may be subject to drug testing, MMPI and job-related medical examinations and will meet the following requirements (2-CO-1C-19, 4-APPFS-3A-03):

1. Pre-Employment Drug Testing

Applicants, including temporary employees, will meet any drug testing requirements in accordance with [OP-110601](#) entitled "Controlled Substances and Alcohol Use and Testing Procedures for Drivers of Commercial Motor Vehicles" and [OP-110603](#) entitled "Pre-Employment Drug Testing Program."

Any positive test, attempt to adulterate a specimen, failure to submit for testing, or other conduct that serves to interfere with the testing process, will result in a withdrawal of the offer of employment.

2. Background Investigations

Applicants, including temporary and contract employees, are subject to a background investigation in accordance with [OP-110210](#) entitled "Background Investigations and Post Conditional Offer of Employment Testing." (2-CO-1C-18, 4-ACRS-7B-05, 4-APPFS-3A-02)

Any applicant may enter on duty following the successful completion of a pre-screening, and prior to the completion of a full background investigation. The employee will be provided written notice that they will be terminated if an unacceptable full background investigation is returned.

### 3. Psychological Evaluation

Applicants for positions requiring peace officer certification by the Council on Law Enforcement Education and Training (CLEET) will undergo psychological evaluation using the MMPI, CPI, or other psychological instrument approved by CLEET and deemed “suitable” for such employment by a psychologist licensed by the State of Oklahoma (70 O.S. § 3311.E.1.c.).

- a. The agency’s contracted vendor or chosen internal mental health professional will conduct all psychological evaluations of applicants for the new hire in accordance with the agency’s contract for such testing.
- b. The evaluation will include a determination that the applicant is either “suitable” or “not suitable” to serve as a peace officer in the State of Oklahoma. (4-APPFS-3A-04)
- c. The re-evaluation of any applicant found unsuitable is prohibited for at least one year (70 O.S. § 3311E.2.a).

### 4. Physical Exams (2-CO-1C-19, 5-ACI-1C-15)

Affected applicants will meet requirements for physical exams in accordance with [OP-140116](#) entitled “Employee/Applicant Physical Examinations and Medical Screenings.” (2-CO-1C-19)

## F. Recall from Reduction in Force [74 O.S. § 840-2.27C]

Consistent with any displacement limits described in the agency’s reduction-in-force plan, permanent employees who are removed from a job family level as a result of a reduction in force will be eligible for recall to the job family level from which removed for 18 months after the effective date of separation or demotion.

1. If there are persons eligible for recall to a job family level, an appointing authority may not appoint or reclassify persons to the job family level from the employment register by internal action such as promotion or reinstatement or from a priority reemployment consideration roster. However, an appointing authority may reclassify an employee by involuntary demotion for cause to a job family level for which there is a recall list.
2. The salary of a recalled employee will be fixed at the rate of pay received immediately before the reduction in force. It will be adjusted according to any across-the-board increases for agency employees in that job family level made in the interim.
3. Affected employees who are reemployed by the agency as a result of a reduction in force less than one year after receiving severance

benefits are required to repay such benefits. [74 O.S. § 840-2.27E.4.b.] Employees who accept voluntary out benefits in accordance with 74 O.S. § 840-2.28 will not be eligible for recall.

4. Individuals who are eligible for recall will be ranked in order of their retention points at the time the reduction-in-force implementation plan is posted, from high to low.
  - a. Retention points are calculated as one point for each full month of full-time service which is creditable for the longevity pay program.
5. Recall rights pertain only to the job family level from which an employee is removed in the agency that conducted the reduction in force. An individual has no right to be recalled to a specific position or to be recalled by any other agency.
6. The right of an individual to be recalled is forfeited if the person:
  - a. Submits a written notice to the agency that waives the right to be recalled;
  - b. Declines an offer of recall;
  - c. Fails to respond to a written inquiry from the appointing authority relative to an offer of recall within seven calendar days after the date of its mailing or four calendar days after the date of its delivery by personal service. The inquiry will include the date and time by which the person will contact the appointing authority;
  - d. Fails to report for duty within the time specified by the appointing authority, provided the person is given at least 14 calendar days; or
  - e. Accepts an offer of recall.
7. The right of an individual to be recalled expires if the agency:
  - a. Makes no appointments within the displacement area to the job family level within the 18 months after the effective date of the removal of the person from the job family level; or
  - b. Does not reach the name of the individual on the recall list of a job family level within 18 months after the effective date of the removal of the person from the job family level.
8. If the agency conducts a reduction in force which requires the removal of permanent employees from a job family level for which there is already an unexpired recall list from a previous reduction-in-force, the names of the persons removed from the job family level

will be merged with names already on the list based on retention points.

G. Priority Consideration for Reemployment [74 O.S. § 840-2.27C]

Permanent employees who have been separated as a result of an officially conducted reduction in force are eligible for priority reemployment.

To be placed on the priority reemployment consideration roster for a job family level, a person will apply to HCM and meet all requirements for the job. The job family level need not be announced for recruitment.

Employees who accepted severance benefits are eligible for priority reemployment consideration. Employees who are reemployed less than one year after receiving severance benefits by the agency from which they separated are required to repay such benefits. [74 O.S. § 840-2.27E.4.b] Employees who accept voluntary buy-out benefits will not be eligible for priority reemployment consideration.

1. Priority Reemployment Consideration Requirements

a. Upon requesting a certificate of eligibles from the HCM, the appointing authority will also be provided a list of any persons appearing on the priority reemployment consideration roster for the appropriate job family level. The appointing authority will give such persons' priority consideration for reemployment and may appoint any person whose name appears on such list.

b. An appointing authority may make an initial appointment from a certificate of eligibles, only after certifying in writing to the HCM that all persons whose names appear on the priority reemployment consideration roster for the job family level were first given priority consideration for reemployment. This requirement does not mandate the appointment of a person from a priority reemployment consideration roster and does not apply to internal appointments and actions, such as promotions and reinstatements.

2. The entrance salary of persons appointed from a priority reemployment consideration roster will be fixed in accordance with [OP-110340](#) entitled "Employee Compensation."

3. The eligibility of an individual to remain on any priority reemployment consideration roster and to be given priority consideration for reemployment will expire 18 months after separation as a result of a reduction in force. It is the responsibility of the person to maintain a current address with the HCM. A person's eligibility will also be forfeited upon:

a. Declination of an offer of reemployment to a job having the

same or higher rate of pay than the job from which removed, located in a county in which the person has indicated a willingness to work;

- b. Acceptance of an offer of reemployment to a job having the same or higher rate of pay than the job from which removed;
- c. Failure to report for duty within the time specified by the appointing authority; provided the person is given at least 14 calendar days;
- d. Recall to the job family level from which removed; or
- e. Failure to meet any of the requirements for the job.

### III. Detail to Special Duty [Civil Service Rules 260:130-19-7]

When the services of a state employee are temporarily needed in a job family or level other than the one to which the employee is regularly assigned, the employee may be detailed to special duty, at the discretion of the facility/unit head, to perform the duties of the job to which temporarily assigned.

An employee may not be placed on detail to special duty more than 12 months in any 36-month period.

#### A. Detail to Special Duty Not Required

Detail to special duty is not required when:

1. An employee is temporarily assigned duties of another job for a period of less than 60 days in any 12-month period; or
2. An employee is temporarily performing such duties as part of a return-to-work program as a result of a work-related illness or injury, regardless of whether that period exceeds 60 days in any 12-month period. Such temporary placement will not exceed six months and will not count toward the 12-month limit.

### IV. Interview Process

Positions will be filled using the interview process outlined in this procedure.

#### A. Responsibilities

1. Employees/Applicants

In order to be considered for an announced position, an applicant will:

- a. Go to [Workday@OK](#) to submit their application for the position for which they are interested in applying and ensure that all



pertinent information is listed on the application at the time of submission. The application can only be submitted once per announcement; and

- b. Be available for interview at the scheduled date and time.
- c. Pursuant to 21 O.S. § 358.B, it is unlawful for any person applying for employment with the State of Oklahoma to make a materially false, fictitious or fraudulent statement or representation on an employment application, knowing such statement or representation to be materially false, fictitious or fraudulent. Any person found guilty of violating this title will be guilty of a misdemeanor punishable by a fine not exceeding \$1,000.00, or by imprisonment in the county jail for a term not exceeding one year, or by both such fine and imprisonment.
- d. No resume submitted before the date of any internal posting is required to be considered.

2. Human Resources Management Specialist (HRMS)

Once the announcement has closed, the HRMS is responsible for the following:

- a. Receiving the list of applicants from the central Human Resources Staffing Unit and scheduling applicants for interview;
- b. If applicable, reviewing certified lists and ensuring that:
  - (1) An offer to interview is sent to all veterans who have been certified through the Office of Veterans Placement.
- c. Completing the race, gender and DOB section of the applicant tracking form after the interview committee makes a selection;
- d. Notifying all applicants not extended an invitation to interview;
- e. Sharing applications with interview committee members through Workday;
- f. Recommending interview questions to the hiring authority and/or approving interview questions written or chosen by the hiring authority;
- g. Creating interview packets with questions chosen by the hiring authority, to include rating scales, in accordance with section IV.C.1.a-c of this procedure;

- h. Maintaining interview files with all required documentation in accordance with these procedures; and
- i. Ensuring applicants are notified of the results of the selection process.

3. Appointing Authority or Designee

The appointing authority or designee will make the final selections for appointment and will ensure that:

- a. A committee and chairperson, who have completed agency training in the interview and selection process, are selected in accordance with this procedure, and the HRMS is informed of the names of interview committee members;
- b. The interview questions and rating scales are selected from options provided by the HRMS, or are developed in accordance with these procedures; and
- c. A record of the final interview and selection process is made in accordance with these procedures.

4. Committee Chairperson

The chairperson will ensure that:

- a. All applications are reviewed by the committee; and
- b. Applicants are interviewed and rated, and a record of the interview and selection process is made in accordance with these procedures.

B. Interview Committee(s)

Committee composition will meet the following guidelines:

- 1. Three to five members;
- 2. One member of the panel will be the HRMS or other HR staff responsible for the position being hired;
- 3. Each member will have completed agency training in the interview and selection process;
- 4. With the exception of the HRMS or other HR staff on the panel, each member will occupy a position assigned to a pay band or range equal to or higher than the position being hired;
- 5. Committee composition will include both male and female members; and

6. No member may be a relative of, residing in the same household as, or in a domestic relationship with any applicant.

C. Conducting Interviews and Establishing Ratings

1. Developing Interview Questions and Rating Scales

Prior to conducting interviews, the questions and rating scales will be developed.

- a. Interview questions will be job-related and designed to elicit behavioral examples of an applicant's knowledge, skills, and abilities (KSA) pertinent to the position being hired.
- b. Applicants will not be asked if they own or possess a firearm (21 O.S. § 1289.27).
- c. The ratings scale will determine the interviewer's expectation for low, medium, and high rated responses.

2. Conducting Interviews

- a. The same questions will be asked of all applicants.
- b. No additional criteria for selection will be imposed during the interview unless its applicability can be established by an examination of the posting. Any required exercise, such as a writing sample, will be rated as though it were a response to an interview question.
- c. Committee members will make a written record of the applicants' responses to the interview questions.

3. Rating Applicants

- a. Each committee member will rate each response to the Behaviorally Anchored Rating Scale (BARS) questions zero through five when compared to the pre-established rating scale of: low (0-1), medium (2-3), and high (4-5) responses.
- b. Any applicant who possesses a preferred qualification, which was posted on the job announcement, will receive two points.
- c. The scores for each applicant will be totaled and listed on the "Applicant Tracking Worksheet" ([Attachment D](#), attached).
- d. Any applicants with tie scores will be ranked in the order of their seniority with the agency.
- e. Any agency employee whose score was tied with an applicant

from outside of the agency will be ranked above the outside applicant.

- f. The appointing authority may proceed with appointment without further interviews based on the results of the initial interview.

#### 4. Second Interviews

The appointing authority or designee may conduct interviews of the recommended applicants.

- a. Interview questions and rating scales will be developed.
- b. A written record of responses will be made.
- c. Responses will be scored zero through five and totaled.
- d. Seniority will be a factor in the event of a tie score among agency applicants and current agency employment will be a factor in the event of a tie score with an outside applicant.
- e. The appointing authority may request any other trained employees to assist in the conduct of final interviews.

#### 5. Selecting a Candidate

- a. The appointing authority may review the applicants' personnel file and seek reference and verification information from current employers or supervisors for current or previous ODOC or other state employees.
- b. The appointing authority will consider any incidents of sexual harassment in determining whether to hire or promote any applicant/employee. [PREA Standards 115.17(b)]
- c. The appointing authority may make an appointment based on any relevant factors as listed above.
- d. The appointing authority is not required to make any appointment, and may elect to keep a position vacant, re-announce the position, or fill the position through an alternative means such as the lateral transfer or demotion of an agency employee.

#### 6. Confirmation Interviews

A confirmation interview is a discretionary interview of an applicant after they have been selected by the position's appointing authority. The confirmation interview may be conducted by the agency director or any member of the agency director's senior staff

for determining whether the finalist is suitable for the position selected by the appointing authority and has the requisite skills to meet organizational objectives. The utilization of this process will be determined prior to the initial interview process of the position and will be publicly notated on the job announcement.

Such interviews will adhere to the following requirements/guidelines:

- a. The interviewer will establish KSAs, questions and a Behaviorally Anchored Rating Scale (BARS) for the interview process and record the applicant's/finalist's responses;
- b. The record of the KSAs, questions, BARS, responses and interviewer's decision will be signed, dated, and placed in the interview file;
- c. The BARS will use a pass/fail rating scale rather than the 0-5 numerical rating scale; and
- d. Applicants may be denied appointment to the position when:
  - (1) Failing to receive a passing rating on any interview question(s); and/or
  - (2) The interviewer can articulate in writing a business related, non-discriminatory reason, such as information from past supervisors or references that supports the conclusion that the applicant is not suitable for the position or does not have the requisite skills to meet organizational objectives.
- e. In the event the applicant is not confirmed, the position will be re-announced.

D. Effective Date of Transfer

1. An employee is deemed to vacate their current position in good standing by providing a two-week notice upon selection for promotion, transfer, or voluntary demotion to another facility/unit.
2. Supervisors or unit heads are not authorized to deny or delay the transfer of any employee; however, an effective date of other than 14 calendar days from the date of notification may be approved with the agreement of both the receiving and sending facility/unit head.

V. Exceptions to the Interviewing Process

A. Direct Appointments of Current Agency Employees

Appointing authorities may elect to announce and conduct interviews in accordance with this procedure for positions only available to current

agency employees or make a direct appointment, with the approval of the agency director.

B. Transfers/Demotions of Current Agency Employees

A vacant position may be filled with or without announcement, and with or without interviews, through the transfer or demotion of a qualified agency employee.

1. Responsibilities

a. Employees

In order to be considered for a transfer or voluntary demotion, either within their current facility or through relocation to another facility, an employee will:

- (1) Request transfer or voluntary demotion in writing, utilizing the "Written Request for Transfer or Voluntary Demotion" (Attachment M, attached);
- (2) Provide all information requested on the form; a form with incomplete or insufficient information, to include the written explanation of why the employee is requesting to transfer/demote, may be returned to the employee for correction; and
- (3) Submit the completed form to their facility/unit HRMS.

b. HRMS

The facility/unit HRMS will:

- (1) Review the "Written Request for Transfer or Voluntary Demotion" (Attachment M, attached) for completeness and accuracy, and return to the employee for corrections if needed; and
- (2) Submit the request to the central Human Resources unit via Smartsheet.

c. Central Human Resources Unit

The Administrator of Human Resources, or their designee, will:

- (1) Review all transfer/voluntary demotion requests;
- (2) Schedule a 15-30 minute decision committee meeting within five working days of receiving the request, which will include the following leadership members, or their

designee: Chief People Officer, Administrator of HR, sending facility/unit head, and receiving facility /unit head.

- (3) The decision committee meeting will consider the following:
  - (a) Employee's calibrated performance rating, if applicable;
  - (b) Employee's disciplinary record;
  - (c) Staffing levels at both facilities;
  - (d) Reason for transfer/voluntary demotion; and
  - (e) Any conditions of transfer/demotion if granted.
- (4) Log decisions on the Smartsheet; and
- (5) Respond to the employee in writing, with a CC to the facility/unit HRMS, notifying them of the decision within two working days of the decision committee meeting.

C. Career Progression

Positions that are designated by this procedure as career progression will not be subject to the requirements for announcement and interview.

D. Limited Applicants

1. The appointing authority may appoint an applicant without an interview when:
  - a. The number of applicants is equal to or less than the number of vacancies and there are no veterans on the applicant list; and
  - b. The applicant does not have an overall rating less than "achieved expected results" on a performance evaluation within the last 12 months.

E. Direct Hire Authority

Positions filled under direct hire authority will utilize the processes outlined below.

1. Correctional Security Officer II/III
  - a. Applicants will apply via the [Workday@OK](#) system by completing an online application and willingness evaluation.

All veterans will be offered an interview or meeting with designated staff.

- b. The central Human Resources unit will conduct officer interviews for all facilities at ODOC Administration Headquarters. Interviews will be conducted in a power interview style.
  - c. Applicants will be referred for a pre-employment physical exam and drug test, in accordance with [OP-140116](#) entitled "Employee/Applicant Physical Examinations and Medical Screenings" and [OP-110603](#) entitled "Pre-Employment Drug Testing Program." A pre-screening will be completed by the Background Investigation Unit.
  - d. Applicants who pass the physical exam, drug test and pre-screen may be extended a formal offer of employment by Central HR. A full background investigation will be completed in accordance with [OP-110210](#) entitled "Background Investigations and Post Conditional Offer of Employment Testing." Any employee who does not pass the background investigation will be immediately discharged; this will be noted in the offer letter.
1. Licensed Practical Nurse I/II, Registered Nurse I/II/III, Patient Care Assistant I/II (Certified Medication Aide)
    - a. Applicants will apply via the [Workday@OK](#) system. If there is more than one ODOC employee/applicant for an approved position, the interview process will be followed. All veterans will be interviewed. The central HR unit will review the applications to determine qualifications.
    - b. Applicants will be referred for a pre-employment physical exam and drug test in accordance with [OP-140116](#) entitled "Employee/Applicant Physical Examinations and Medical Screenings." A pre-screening will be completed by the Background Investigation Unit. A full background investigation will be completed in accordance with [OP-110210](#) entitled "Background Investigations and Post Conditional Offer of Employment Testing." An NCIC records check will be completed by the hiring facility in accordance with [OP-110210](#) entitled "Background Investigations and Post Conditional Offer of Employment Testing."
    - c. Applicants who pass the physical exam and pre-screen may be extended a formal offer of employment by the facility. Any employee who does not pass the full background investigation will be immediately discharged; this will be noted in the offer letter.



## 2. Food Service Specialist I/II/III/IV

- a. Applicants will apply via the [Workday@OK](#) system. If there is more than one ODOC employee/applicant for an approved position, the interview process will be followed. All veterans will be interviewed. The central Human Resources unit will review the applications to determine qualifications.
- b. Applicants will be referred for a pre-employment physical exam and drug test in accordance with [OP-140116](#) entitled "Employee/Applicant Physical Examinations and Medical Screenings." A pre-screening will be conducted by the Background Investigation Unit. A full background investigation will be completed in accordance with [OP-110210](#) entitled "Background Investigations and Post Conditional Offer of Employment Testing."
- c. Applicants who pass the physical exam and pre-screen may be extended a formal offer of employment by the facility. Any employee who does not pass the full background investigation will be immediately discharged; this will be noted in the offer letter.

### F. Recall from Reduction in Force

Positions filled in accordance with Section II. item J. of this procedure will not be subject to the requirements for announcement and interview.

## VI. Retention of Records

### A. Time Limits

The facility/unit will retain documentation for any hiring or promotional process in a confidential file for two years following an appointment or the conclusion of any legal action concerning the appointment. The facility/unit will also retain the selected applicant's documentation in a confidential file by the facility/unit. All documentation will then be processed in accordance with [OP-020202](#) entitled "Management of Office Records."

### B. Required Documentation

The following documentation of the selection process will be retained:

1. A list of all KSAs, interview questions, and ratings scales (BARS) used during first and final interviews;
2. All interviewers' records of the responses to interview questions made by applicants; and
3. A completed "Applicant Tracking Worksheet" ([Attachment D](#), attached).

VII. Career Progression (2-CO-1C-14)

A. Affected Positions

The agency's career progressions include the following:

1. Accountant I to Accountant II;
2. Accountant II to Accountant III;
3. Accounting Technician I to Accounting Technician II;
4. Alcohol and Drug Counselor I to Alcohol and Drug Counselor II;
5. Contracting and Acquisitions Agent I to Contracting and Acquisitions Agent II;
6. Contracting and Acquisitions Agent II to Contracting and Acquisitions Agent III;
7. Correctional Case Manager I to Correctional Case Manager II;
8. Correctional Case Manager II to Correctional Case Manager III;
9. Correctional Security Officer II to Correctional Security Officer III;
10. Correctional Training Officer I to Correctional Training Officer II;
11. Dental Care Assistant I to Dental Care Assistant II;
12. Food Service Specialist I to Food Service Specialist II;
13. Food Service Specialist II to Food Service Specialist III;
14. Food Service Specialist III to Food Service Specialist IV;
15. Fugitive Apprehension Agent I to Fugitive Apprehension Agent II;
16. Fugitive Apprehension Agent II to Fugitive Apprehension Agent III;
17. Human Resources Management Specialist I to Human Resources Management Specialist II;
18. Human Resources Management Specialist II to Human Resources Management Specialist III (this career progression applies only to those positions within the agency's central Human Resources unit or at facilities/units with a single HRMS position);
19. Institutional Farms Manager I to Institutional Farms Manager II;

20. Institutional Farms Manager II to Institutional Farms Manager III;
21. Linen and Clothing Specialist I to Linen and Clothing Specialist II;
22. Linen and Clothing Specialist II to Linen and Clothing Specialist III;
23. Linen and Clothing Specialist III to Linen and Clothing Specialist IV;
24. Licensed Practical Nurse I to Licensed Practical Nurse II;
25. Patient Care Assistant I to Patient Care Assistant II;
26. Probation and Parole Officer I to Probation and Parole Officer II;
27. Probation and Parole Officer II to Probation and Parole Officer III;
28. Registered Nurse I to Registered Nurse II; and
29. Registered Nurse II to Registered Nurse III.

B. Qualifications

Applicants will meet all minimum requirements established for the level to which they are promoting.

The central Human Resources unit will certify job qualifications utilizing the “Application for Career Progression Promotion Documentation of Minimum Requirements” ([Attachment C](#), attached) unless the qualifying experience for the next level was obtained other than in a lower level in the same job family.

C. Training Requirements

Applicants will have successfully completed any training requirements for the current job prior to promoting to the next level.

D. Discipline

Career progression applicants will not have had any formal disciplinary action taken in the 12 months prior to approval of the career progression.

E. Review of Qualifications and Requirements

Employees will be promoted at any time once all of the requirements listed above are met.

F. Appointment to a Career Progression Position

Applicants seeking appointment to a position designated as a career progression position will be appointed to the highest level for which they qualify.

VIII. Trial Period (Civil Service Rules 260:130-19-30, 2-CO-1C-15, 5-ACI-1C-12)

A. Trial Period

1. All hires, to include transfers from another state agency, will be required to be in a trial period for up to one year.

2. Adjustments to the Trial Period

The trial period may not be extended. [Civil Services Rule 260:130-19-30] However, if a trial employee is absent from work in excess of 30 non-continuous working days, the trial period will be adjusted by the number of working days the trial employee was absent. The employee will be notified at the earliest date that the trial period is to be adjusted. Upon the employee's return to work, notification of such adjustment will be provided to the employee and HCM, and will include the adjusted date of the final working day of the trial period [Civil Service Rule 160:130-19-32].

3. Personnel Transactions (HCM-14)

An HCM-14 which indicates the final working day of the trial period will be completed and submitted to the central Human Resources unit any time the trial period is adjusted.

4. Termination of Trial Period Appointment

Any employee may be terminated from employment during the trial period or an adjustment of the trial period without the right of a complaint. The employee may also be disciplined at any time during the trial period without the right of complaint. [Civil Service Rule 260:130-19-31]

IX. Part-Time Regular Employment (5-ACI-1C-13, 4-ACRS-2A-06)

A. Part-Time Regular Employee

Part-time regular employment will be, at a minimum, 1000 hours per year or 50% of a full-time work schedule. The HCM-14 for part-time employment will state both the percentage of time to be worked and the number of hours that that represents in the normal work period.

B. Temporary/Contract Employee

Any employee or applicant hired to work less than 1000 hours per year or less than 50 percent of each work period may not be a regular employee but may be hired as either a 999-temporary employee or a contract employee.

Due to overtime requirements, employees who work full-time for another

state agency cannot be employed by ODOC as a temporary or part-time employee in a non-exempt position. Refer to “Job Family Level (Position) Guide” ([OP-110305](#), [Attachment A](#)) for a complete listing of non-exempt job titles.

## X. Employee Travel and Leave

### A. Travel

Employees who seek promotional opportunities are not eligible for travel reimbursement; however, the facility/unit may permit an employee the use of a state vehicle for the purpose of interviewing for agency positions.

### B. Work Time

Employees may interview on work time for agency positions during regularly scheduled work hours. Employees will provide sufficient advance notice to their supervisors so that any absence will not be disruptive to the continuance of work.

Any employee interview time which occurs outside assigned working hours, on a regularly scheduled day off, while on previously scheduled leave, or for any position outside of the agency, will not be considered work time.

## XI. Prohibited Employment

### A. Definition

1. Executive/Senior staff - staff responsible for the management of a division with specific units/facilities under their chain of command (e.g., chiefs, General Counsel, Inspector General, and administrators/staff who report directly to the agency director).
2. Facility/unit head - staff with responsibility of the direction and control of a unit/facility, to include staff within the facility/unit (e.g., warden, facility administrator).
3. Supervisor - responsible for overseeing and directing and/or exercising any degree of supervision or authority of employees and/or a function or activity within a unit or the agency (e.g., unit supervisor (i.e., assistant facility head, chief of security, quartermaster, property and leases, etc.)).
4. Immediate Supervisor - the employee or officer on the next higher level of authority above the employee within a unit/department normally assigns and supervises employee's work/activity, approves work time and evaluates performance of assigned employees. (e.g., someone who directly supervises an employee(s), unit manager, captain, lieutenant, sergeant, etc.)
5. Relative - “relative” is defined as spouse/domestic partner, and

whether by blood, adoption, marriage or domestic partnership, a child, parent, sibling, aunt, uncle, niece, nephew, or first cousin to include any in-law, foster, step, half, and grand relationships; any relative residing in the same household; or any person with whom the employee has a domestic relationship.

B. Supervisory Restriction

Employment of any person in a position, which results in the immediate supervision by a relative, is prohibited.

As defined above, the immediate supervisor, supervisor, and facility/unit head will not occupy a supervisory position in the “chain of command” regarding any employee considered a “relative.”

1. Exceptions may be made on a case-by-case basis by the Chief of Operations in the case of facility/unit heads appointed to positions over facilities/units where a relative is already employed.
2. After a facility/unit head is appointed, no relatives of the facility/unit head may be hired to be employed at the same facility/unit.

Executive/Senior staff will ensure hiring of “relatives” will be at a minimum of two levels removed within the chain of command, and the executive/senior staff will not have direction or control over the relatives work and are not part of the relative’s evaluation process.

C. Assignment/Appointment

It is the general policy of ODOC not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or family status. Notwithstanding, ODOC reserves the right to:

1. Assign or re-assign the duty stations and work assignments of employees who are or become relatives, as necessary.
2. Refuse to appoint a person to a position wherein their relationship to another employee has the potential for creating an adverse impact on supervision, safety, security, morale, or involves a potential conflict of interest.

D. PREA

The Prison Rape Elimination Act (28 CFR §115.17) prohibits the agency from hiring, promoting, or contracting with anyone who:

1. 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);
2. 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

3. Has been civilly or administratively adjudicated to have engaged in the activity described above.

## XII. Distribution

A copy of this procedure will be available through the facility/unit and central human resources offices for review by employees.

## XIII. References

Policy Statement P-110100 entitled "Uniform Personnel Standards"

OP-020202 entitled "Management of Office Records"

OP-110210 entitled "Background Investigations and Post Conditional Offer of Employment Testing"

OP-110260 entitled "Job Classification Procedures"

OP-110305 entitled "Overtime Pay and Compensatory Time"

OP-110340 entitled "Employee Compensation"

OP-110345 entitled "Workers' Compensation Insurance"

OP-110601 entitled "Controlled Substances and Alcohol Use and Testing Procedures of Commercial Motor Vehicles"

OP-110603 entitled "Pre-Employment Drug Testing Program"

OP-140116 entitled "Employee/Applicant Physical Examinations and Medical Screenings"

21 O.S. § 358 and 359 and § 1289.27

28 CFR §115.17

42 U.S.C. 1997

70 O.S. § 3311

74 O.S. § 840-2.9.A, 2.21.F, 2.27C, 2.27E.4.b, 2.28, 4.17 and 954

Civil Service Rules 260:130-17-6, 130-19-7, 130-19-30, 130-19-31, 130-19-32

Section 840 2.1 of the Oklahoma Personnel Act

XIV. Action

The facility/unit head is responsible for compliance with this procedure.

The administrator of Human Resources is responsible for the annual review and revisions.

Any exception to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: OP-110235 entitled "Hiring and Promotional Procedures" dated March 11, 2021

Distribution: Policy and Operations Manual  
Agency Website



<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment A</a>	“Applicant Information”	Attached
<a href="#">Attachment C</a>	“Application for Career Progression Promotion Documentation of Minimum Requirements”	Attached
<a href="#">Attachment D</a>	“Applicant Tracking Worksheet”	Attached
<a href="#">Attachment M</a>	“Written Request for Transfer or Voluntary Demotion”	Attached
<a href="#">Attachment A</a>	“Job Family Level (Position) Guide”	<a href="#">OP-110305</a>