



- E. 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.
- F. 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.
- G. 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.
- H. 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 on Law Enforcement Standards and Training (CLEST) certification.
- I. New Hire: Employees entering state service with the Department for the first time.
- J. Preferred Qualifications: Any job-related education, training, experience, fitness, and other criteria that are advertised as desired for a position in addition to the Minimum Qualifications.
- 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 for New Hires or Rehires of 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 community supervision 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. 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.

### **III. PROCEDURES**

#### **A. Exclusions**

1. The provisions of this Directive do not govern the selection or removal of members of the Post-Prison Transfer Board. The selection or removal of Post Prison Transfer 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.

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

1. The Hiring Official or their designee must create a job requisition before beginning the process of filling any vacant position. The Hiring Official may, in consultation with Central Human Resources, add Preferred Qualifications to a 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 designees have the authority and discretion to appoint or transfer individuals into these classifications.
  - b. 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 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 such as publication in newspapers or on websites must be submitted to and coordinated by the Central Human Resources Office.

#### **C. Applications and Minimum Qualifications**

1. Applications.
  - a. Applications will be reviewed by the Central Human Resources Office.
  - b. Applications must be submitted via the ARCareers website.

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. 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.

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

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, or

(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) Is a resident of Arkansas, and

(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; or

(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. Selecting Applicants for Interview

1. After creating a list of applicants who meet minimum qualifications, Central Human Resources Office will provide the Hiring Official with a list of qualified applicants.

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, based on the specific job duties of the position.
  - a. 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. Employees on disciplinary probation are ineligible for promotion unless approved by the Secretary or designee.
  - b. 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)(2) of this section.
    - iv. 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.
    - v. Before hiring new employees who may have contact with inmates, the Department shall Perform a criminal background records check; and 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.
    - vi. The Department shall conduct criminal background records checks at least every five (5) years of current employees who may have contact with inmates or have in place a system for otherwise capturing such information for current employees.
    - vii. The Department shall ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (e) 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.
    - viii. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.
    - ix. Unless prohibited by law, the Department shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee.

E. 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 Community Supervision 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 must create interview questions for each requisition.
    - i. The questions may be based on the Knowledge, skills, and abilities (KSAs) of the position, but are not required to be.
    - ii. If the questions are based on KSAs, there must be at least one question for each KSA. If the questions are not based on KSAs, there must be at least five questions, but less than ten.
    - iii. 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.
    - 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%).

F. Selecting an Applicant

- 1. Veteran's Preference Points 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.

G. Pre-Employment Screening and Offer of Employment

- 1. Upon notification that an applicant has been selected, Unit or Local 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 in contact with offenders, regardless of work location
  - i. An assessment of the ability to perform Essential Job Functions
  - j. Fingerprint return if will have access to criminal justice information data and is required by ACIC.
  - k. 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, the Unit or Local Human Resources Office will make a final offer of employment to the selected applicant.
4. A criminal Conviction does not automatically disqualify an applicant for hire. The Secretary or designee may, in his or her sole discretion, provide approval based on the nature of the offense and anticipated job duties.
5. 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 via automated email.

#### H. 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.
  - e. Incumbent Employees promoting to a position in an area that involves fiscal or Information Technology (IT) duties must have a background check completed and submitted prior to the effective date of the Promotion.
2. Transfer.
- a. Administrative Transfer. The Secretary or designee 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 unless approved by the Secretary or designee.
    - 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 Administrator, Warden or Area Manager for review.
      - (b) Once a determination is made, the request must be attached to the application in ARCareers.
      - (c) Transfer of an Employee within a division shall not be denied or delayed without the approval of the Division Director or 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.
    - vii. A transfer of an Employee from one division to another shall not be denied or

delayed without the approval of the Secretary or designee.

### 3. Demotion.

- a. **Disciplinary 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. To initiate a voluntary Demotion, the Employee must submit an application via ARCareers during the advertisement period.
  - ii. The applicant will be considered with all other qualified applicants during the hiring process.
  - iii. 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.
  - iv. A request for demotion must be submitted to the 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, a completed Demotion acknowledgement form must be filled out by the Employee and included in the employment packet.
  - v. Only the appropriate Deputy or Assistant Director, Administrator, or the Chief of Staff has the authority to approve or deny a voluntary demotion from their respective Division.
  - vi. Employees demoting into a position with fiscal or IT duties must complete a background check prior to the effective date of the Demotion.
- c. **Change in Pay.** Except as provided by OPM policy, 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.

### 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.
- c. Unless approved by the Division Director or designee, 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 or 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 designee.

#### **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.

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**NAME**

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**AASIS #**

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**DATE**