

KANSAS DEPARTMENT OF CORRECTIONS

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|  | INTERNAL MANAGEMENT POLICY AND PROCEDURE | SECTION NUMBER 02-102D | PAGE NUMBER 1 of 5 |
| | | SUBJECT: HUMAN RESOURCES: Security Post Rotation and Shift Assignment | |
| Approved By:  Secretary of Corrections | | Original Date Issued: 06-30-15 | |
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| | | CURRENT VERSION EFFECTIVE: 06-30-15 | |

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| APPLICABILITY: | <input type="checkbox"/> ADULT Operations Only | <input type="checkbox"/> JUVENILE Operations Only | <input checked="" type="checkbox"/> DEPARTMENT-WIDE |
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POLICY STATEMENT

Post rotation of certain classifications of facility security personnel shall be adopted to provide a balance of qualified, experienced staff throughout the facilities at all times. Each warden/superintendent shall develop procedures, listing all security posts to be included in the rotation plan, which will implement this policy in an equitable manner and ensure that the safety and security needs of the staff, offenders, and facility are addressed. At a minimum, rotation shall occur in designated posts every 24 months. The affected staff shall receive sufficient notification of the rotation cycles to permit an opportunity to plan and make provisions for adjustments to their work schedule.

Except as provided in a Memorandum of Agreement entered into with an employee bargaining unit, the policy set forth herein shall apply. If a Memorandum of Agreement has been entered into, the terms of the MOA shall apply.

DEFINITIONS

Bona Fide Occupational Qualification (BFOQ): For purposes of this policy, any prerequisite that has been demonstrated valid as a minimum qualification for assignment to a particular post and is reasonably necessary to the normal operation of the facility or office in compliance with the provisions of Title VII.

Post Rotation: The assignment or reassignment of security staff from one post to another within the same shift.

Post Rotation Ranking (ADULT): The formula defined by the Memorandum of Agreement (MOA) covering Corrections Officers, which determines the ranking for awarding job preferences and post assignments.

Security Staff: Employees in correctional facilities who work in positions.

- **ADULT:** Corrections Officer I A/B (CO I), Corrections Officer II (CO II/Sergeant), Corrections Specialist I (CS I/Master Sergeant), Corrections Specialist II (CS II/Lieutenant), and Corrections Specialist III (CS III/Captain). Corrections Manager I (CM I) and Corrections Manager II (CM II/Major) classifications are also considered security staff, if functioning as the chief of security for a facility.
- **JUVENILE:** Juvenile Corrections Officer I (JCO I), Juvenile Corrections Officer II (JCO II/Sergeant), Juvenile Corrections Officer III (JCO III/Lieutenant), Corrections Manager I (Captain) and Corrections Manager II (CM II/Major, KJCC; Public Service Administrator/Chief of Security/Major, LJCF).

Seniority Ranking (JUVENILE): The formula defined by the Memorandum of Agreement (MOA) covering Juvenile Corrections Officers, which determines the ranking for awarding job preferences and post assignments.

PROCEDURES

I. Applicability

- A. The procedures established herein shall apply to security staff only as defined in this policy.
- B. The procedures established herein shall not apply to routine post or shift rotations currently established by facility General Order for non-uniformed personnel or supervisory staff.

II. Post Rotation/Shift Assignment Procedures

- A. Wardens/Superintendents shall develop General Orders, which will implement this policy and any applicable MOA in an equitable manner which ensures that the safety and security needs of the staff, offenders, and facility are addressed.
 - 1. The General Order shall include a list of all security posts to be included in the rotation procedure .
 - 2. The General Order shall also include the formula for determining Post Rotation Ranking (Adult) or Seniority Ranking (Juvenile), per the applicable MOA, as well as any other methods for ranking security staff not covered by a memorandum of agreement.
- B. Rotation shall occur at a minimum, every 24 months for designated posts in Adult Services (CO A/B I, CO II, and CS I) and Juvenile Services (JCOI).
- C. Rotation shall occur in designated CS II and CS III positions at the direction of the warden. Superintendents shall direct the rotation of designated JCO II, JCO III, and CM I positions.
 - 1. A schedule for implementation of post rotation shall be developed which ensures the availability of trained and experienced staff in critical positions at all times.
 - 2. The rotation schedule provides for staff to be rotated at intervals that avoid the rotation of all staff in the same cycle and to ensure each area will retain continued coverage by experienced staff.
 - 3. Except for posts, positions, or classifications specifically exempted from this requirement, the rotation schedule provides that rotation of staff in a given classification does not occur any more frequently than 12 months or any less frequently than 24 months.
 - 4. Post rotation is valid only when an actual change of post occurs. Retaining an employee in the same post, but assigning that person to a different shift or days off does not constitute post rotation.
 - 5. Posts assigned to work with segregation or mentally ill offender shall be reviewed every six months and may be rotated at the officer's request or at the discretion of the warden/superintendent.
- D. Rotation cycles shall be developed, announced, and implemented on a schedule which will permit staff the opportunity to plan and make provisions for adjustments resulting from a changing work schedule and/or days off.
- E. Post Preference Sheets.
 - 1. Requests for a change in post or shift assignment shall be submitted to the warden/superintendent or designee using a Post Preference Sheet (**ADULT:** Attachment A or **JUVENILE:** Attachment B).
 - a. **ADULT:** Except in those instances where a vacancy occurs, an employee may not submit a Post Preference Sheet more frequently than once every 90 days

unless otherwise specified by an approved Memorandum of Agreement. This does not include the post preference submitted for annual rotation.

(1) If an employee's first preference is granted at annual rotation, the employee may only be granted one other post preference during that year's rotation cycle.

b. **JUVENILE:** When a previously assigned post becomes vacant due to resignation, termination, or promotion, the post shall be filled by utilizing the most recent annual post bid preference sheets in order of seniority.

(1) The resulting vacancy shall be filled by the same method.

(2) No further vacancies shall be filled by this method following the third post being filled.

(3) Selected employees shall not be eligible to fill another vacant post via this method until the next bid process.

F. Determination of Shift/Post Assignment

1. For the purposes of this policy, each warden/superintendent or designee shall be responsible for determination of shift/post assignments with the needs and goals of the facility given primary importance.

a. Post assignments involving any vacant post that is exempt from rotation and for which there is more than one (1) qualified candidate, shall be handled in compliance with the provisions of Section XV. of IMPP 02-126D.

2. In determining shift/post assignments, the warden/superintendent or designee shall consider an employee's:

a. Experience;

b. Qualifications;

c. Performance;

d. Length of service;

e. Post preference scores;

f. Family or household members, as defined by 02-116D; and

g. Post/shift preference.

3. Preference of post and shift assignments of employees shall be considered as openings/vacancies occur.

III. Coordination of Training and Staff Development with Rotation

A. The warden/superintendent shall require the facility Staff Development Coordinator to develop procedures to provide, at a minimum, appropriate advance on-the-job training and placement of staff in relevant areas consistent with the individual staff member's rotation schedule and training needs.

B. Such training assignments shall be developed in accordance with provisions of IMPP 03-104D.

IV. Exemptions from Post Rotation Procedures

- A. The warden/superintendent may recommend to the Deputy Secretary of Facilities Management or the Deputy Secretary of Juvenile Services exemptions from the post rotation procedure established in Section I. of this policy by specifically identifying:
 - 1. Posts which work closely with the facility administration;
 - 2. Posts which require a unique skill; and/or,
 - 3. Posts in which the Department has a substantial training investment in the incumbent.
- B. Provisions shall be made in the facility's General Order to provide for line level security staff rotation into exempt positions or areas supervised by exempt posts.

V. Limited Eligibility for Posts Due to Bona Fide Occupational Qualification(s) (BFOQ)

- A. When deemed necessary and appropriate, the warden may request a bona fide occupational qualification (BFOQ) be established for a particular post. Such requests shall be submitted to the Deputy Secretary who shall review the request with the Human Resources Director and render a decision in writing within 10 working days of receipt of the request.
 - 1. Requests for establishment of a gender-based BFOQ shall be based on valid, demonstrable criteria where respect of privacy is necessary to a primary purpose of a post and or duty assignment.
 - 2. A gender-based BFOQ shall not be allowed for posts where privacy is an ancillary duty that might be avoided by a reasonable restructuring of the post or duty assignment.

VI. Emergency or Temporary Assignments (ACI 3-4058)

- A. The warden/superintendent or designee may make temporary or emergency post assignments, as necessary to maintain the orderly operation of the facility.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

Memoranda of Agreement
Title VII of the Civil Rights Act of 1964
IMPP 02-116D, 02-126D, 03-104D
ACI 3-4058

ATTACHMENTS

| Attachment | Title of Attachment | Page Total |
|-------------------|--|-------------------|
| A | Post Preference Sheet (Adult Correctional Facilities) | 1 page |
| B | Post Preference Sheet (Juvenile Correctional Facilities) | 1 page |

POST PREFERENCE SHEET

(Adult Correctional Facilities)

(PRINT) NAME: _____

DATE OF HIRE: _____

RANK: _____

PRESENT ASSIGNMENT: _____

POST PREFERENCE (LIST UP TO THREE POSTS, BE AS SPECIFIC AS POSSIBLE)

1. _____

2. _____

3. _____

IF YOU WISH TO HAVE SPECIFIC DAYS OFF, PLEASE VERIFY THE SCHEDULED DAYS OFF FOR THE POST FOR WHICH YOU ARE STATING A PREFERENCE.

SHIFT CHANGE REQUEST? YES OR NO (PLEASE CIRCLE ONE)

IF YES, STATE PREFERRED SHIFT:

1. _____

2. _____

COMMENTS: _____

SIGNATURE

DATE

POST PREFERENCE SHEET (Juvenile Correctional Facilities)

NAME: _____

DATE: _____

SENIORITY STATUS: _____

CONTACT NUMBER: _____

ROTATION PERIOD: _____

| Preference #1 | Preference #2 | Preference #3 | Preference #4 | Preference #5 |
|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Shift 6-2 2-10 10-6 |
| Post Number _____ |
| Post Name _____ |

COMMENTS:

SIGNATURE