

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
316**

EMPLOYEE TRANSFERS

Supersedes: AR 316 (01/05/12); and AR 316 (Temporary, 05/06/14)
Effective Date: 09/16/14

AUTHORITY

NRS 284.3775
NRS 284.376
NRS 284.375
NAC 284.390, 284.394

RESPONSIBILITY

The Appointing Authority is responsible to ensure transfers within the Department are submitted on the appropriate form and in compliance with Department Regulations and Nevada Administrative Code.

316.01 VOLUNTARY TRANSFERS

1. An employee who wants to transfer duty locations and/or budget accounts within the Department should originate a request on the Transfer Request form DOC-1041 and submit to the Human Resources Division. The DOC-1041 is located on the Stewart shared drive; Personnel/Forms.
2. The Human Resources Division will forward the request to the Appointing Authority of both affected budget accounts.
 - A. The Human Resources Division will appropriately log receipt of the DOC-1041 and track the status.
 - B. If the transfer is approved by both the sending and receiving Appointing Authorities, the Human Resources Division will forward the Transfer Request to the Deputy Director for final approval or denial.
 - C. The original DOC-1041 will be maintained by the Human Resources Division.
 - D. If the transfer request is denied, a copy of the denied DOC-1041 will be sent to the employee.
3. The Human Resources Division should determine vacancy and classification, and advise the appropriate Appointing Authority.
4. Upon approval of a transfer by the Appointing Authority, the effective date of the transfer is to be determined by the Human Resources Division in coordination with both affected duty stations.

5. When there are two employees who want to request a double voluntary transfer, each employee shall originate such a request on the form DOC-1041 form.
6. The approval of a transfer request is upon the discretion of the Appointing Authorities.
7. A transfer request of an employee to a position in the same class shall require only the completion of the form DOC-1041.
8. A transfer request of an employee to a comparable class shall require the completion of the form DOC-1041, an NVAPPS staff profile or application, and a written intent from the employee requesting the comparable transfer.

316.02 INVOLUNTARY TRANSFERS

1. An Appointing Authority may transfer an employee for the convenience of the State, any employee from one position to another position in the same or comparable class. Five (5) working days notice is required prior to affecting such transfer.
2. A letter notifying the employee should be obtained from the Human Resources Division.
3. A signed copy of this letter should be included in the employee's official Personnel file to document this involuntary transfer.
4. An involuntary transfer may be appealed to the State of Nevada Hearing Officer by submitting a NPD-54.

316.03 TEMPORARY RE-ASSIGNMENT

1. An employee may be temporarily re-assigned to another duty location based on the determination and approval of the Appointing Authority.
 - A. A temporary re-assignment does not change the employee's current budget account or position number.
 - B. The notice requirement is waived if the length of the transfer will not exceed ten working days.
2. The Appointing Authority will notify the employee in writing of the temporary re-assignment.

316.04 CENTRAL TRANSPORTATION ROTATION TRANSFERS

1. Custody Transportation employees may be transferred within two years into or out of a position within Central Transportation.
2. The Department may give thirty (30) days notice, prior to transferring staff members.
3. Rotation position moves must be of the same class and be in compliance with AR 301, Shift Bidding.

4. The Human Resources Division shall determine vacancy and classification, and advise the Appointing Authorities.

5. The effective date of the transfer is to be determined by the Appointing Authorities in coordination with the Human Resources Division.

6. Upon completion of the transfer, employees transferring to Central Transportation must qualify with weapons per Central Transportation course of fire and obtain a Commercial Driver's License to remain in the position.

316.05 TRANSFERS TO ANOTHER STATE AGENCY

1. The transfer of an employee from a position under the jurisdiction of one State agency to another State agency may be made if the positions are in the same or comparable class and upon the request of the employee. This would be accomplished by submitting an intent statement along with a NPD-45 to the receiving agency.

2. A transfer of an employee from another state agency to a position in the same class or comparable class with the Department of Corrections requires the completion of an NVAPPS staff profile or application by the employee to determine his qualifications, along with an intent statement from the state employee requesting transfer.

3. An employee transferring from one state agency to another state agency without a break in service shall have annual and sick leave balances transferred to the new agency.

4. All accumulated comp time shall be compensated for by the agency the employee is leaving.

316.06 APPOINTMENT STATUS

1. A probationary employee who transfers within the same class must serve the remaining portion of their probationary period.

2. A probationary employee who transfers to another class must serve a new probationary period.

3. A permanent employee who transfers within the same class or comparable class shall retain their permanent status.

4. An employee who transfers from unclassified service to classified service must serve a new probationary period.

316.07 FINANCIAL RESPONSIBILITY

1. Reasonable expenses authorized for transfers affected for the convenience of the State and in compliance with the requirements and conditions contained in the State Administrative Manual (SAM) may be appropriately reimbursed by the State.

2. Approved transfers for the convenience of the employee should be affected at no expense to the Department or the State. Any expense for relocation will be the sole responsibility of the employee.

APPLICABILITY

1. This regulation applies to all employees of the Department.
2. This regulation does not require an Operational Procedure.
3. This regulation does not require an audit.



Director



Date