

Chapter: Selection and Hiring	<b>Effective Date: 8/1/16</b>
<b>Title: Management-Directed Transfers</b>	Page: 1 of 2
ACA: N/A	Replaces: PRS.05.20, 12/1/11
Statutes: N/A	

(a) **Policy.**

The Texas Juvenile Justice Department (TJJD) may transfer an employee to another position when doing so is in the best interests of the agency.

(b) **Applicability.**

(1) This policy applies only to the following types of [transfer](#) initiated by agency management:

- (A) lateral, [intra-agency transfers](#); and
- (B) non-disciplinary [demotions](#).

(2) This policy does not apply to:

- (A) [lateral transfers](#) requested by employees or voluntary demotions, which are both completed in accordance with [PRS.05.11](#);
- (B) [promotions](#), which are completed in accordance with [PRS.05.11](#);
- (C) intra-agency transfers resulting from a [reassignment](#) requested by a juvenile correctional officer or case manager, which are completed in accordance with [PRS.05.19](#); or
- (D) demotions resulting from disciplinary actions, which are completed in accordance with [PRS.35.01](#).

(c) **Definitions.**

For definitions of certain terms used in this policy, see the [PRS glossary](#).

(d) **Procedures.**

(1) Only a [chief local administrator \(CLA\)](#) or **an individual at a higher level of authority** may request a [management-directed transfer](#).

(2) The **CLA** or **an individual at a higher level of authority** who is requesting the management-directed transfer must complete a Management-Directed Transfer Approval form, [HR-055](#), describing why the transfer is in TJJD's best interests and identifying the employee's salary in the new position.

- (A) If the transfer results in a demotion, the salary requirements outlined in [PRS.15.05](#) apply.
- (B) If the transfer results in a different [job classification](#) within the same salary group or a different salary group with the same minimum salary, the employee may receive an increase in salary, the same salary, or a decrease in salary.
  - (i) If the employee receives an increase in salary, the increase must not exceed 3.4 percent of the employee's salary before the transfer.
  - (ii) If the employee receives a decrease in salary, the decrease must not result in a salary that is below the minimum rate for the salary group of the new position.

- (C) If the transfer results in a different position in the same [job classification](#) and same salary group (e.g., a similar job at a different location), the transfer will not result in a change to the employee's pay.
- (D) If the transfer involves an [education position](#) that is not subject to the state classification plan, the salary is determined in accordance with the guidelines in TJJJ's [Education Staffing Procedures manual](#).
- (3) Every management-directed transfer requires approval by the appropriate **division director** and the **human resources director**. The human resources director will not approve the transfer if the employee does not meet the minimum qualifications for the new position.
- (4) A management-directed transfer from or into one of the following positions requires approval by the **executive director** or his/her designee:
- (A) a [position classified](#) in salary group B25 or higher;
- (B) a youth facility assistant superintendent position (job code 4532); or
- (C) a non-classified position (e.g., principal) with a minimum salary equivalent to or higher than the minimum salary for salary group B25.
- (5) If an employee changes supervisors as a result of a transfer, the **former supervisor** and the **new supervisor** must coordinate with their **human resources administrators (HRAs)** and [CLAs](#) and agree on the effective date of transfer.
- (6) To avoid increasing the [overtime](#) liability for the new location, the **current CLA** or designee and the **HRA** coordinate to ensure that a non-exempt employee who is transferring to another location is paid for earned overtime or allowed to use his/her overtime leave balance on a voluntary basis (or some combination of both) prior to the transfer. If the employee does not receive payment or voluntarily take time off to exhaust his/her overtime leave balance prior to the transfer, the **current CLA** must provide an explanation to the **new CLA** and **human resources director**.
- (7) The **new supervisor** must coordinate timely completion of a Personnel Action Request–Position Change form, [HR-002-C](#), with the HRA.
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