



**Division of State Patrol
Policy and Procedure**

Number
11-18

Subject GENERAL PROCEDURES FOR FILLING VACANT POSITIONS	
Author/Originator Office of the Superintendent	Approved by <i>Anthony L. Surrall</i> Superintendent
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I. POLICY

It is the policy of the Division of State Patrol (DSP) to fill all positions with qualified employees. To that end, employees should seek positions for which they are qualified and interested. First consideration will be given to Department needs.

II. BACKGROUND

- A. The number of filled positions varies throughout the year due to retirements, resignations, transfers, etc. Typically, recruitment and basic training of inspector enforcement cadets are conducted annually.
- B. Certified vacancies may be filled in a variety of ways. For those positions covered by collective bargaining agreements, first consideration is given to those qualifying under the terms of the applicable negotiated agreement. Typically, the Division will receive a list of represented employees who have transfer requests on file with the Bureau of Human Resource Services (BHRS). Transfer requests are filed on the basis of classification and location, not by work assignment. Work assignment is a strictly maintained management right. Upon receiving transfer lists, the Division will verify that individuals qualify for consideration under contractual language. Interviews may be required to determine fitness for the position. Those qualifying for contractual transfers are offered the position in seniority order.

- C. Sworn Division employees originally enter as inspector enforcement cadets through the Academy. Upon graduation, they fill positions as either troopers or inspectors. All cadets receive the same basic training which allows them to fill either trooper or inspector positions and, upon completion of formal field training, function at or above a minimally acceptable level. Additional training is acquired in the field as troopers and inspectors work toward achieving objective level performance. Specialized training required for some assignments is conducted in a variety of ways, as determined by the Bureau Director responsible for those assignments.
- D. Prior to recruit class graduation from the Academy, the Division will develop a prioritized listing of sworn position vacancies that have been cleared of contractual and non-contractual transfers or administrative personnel actions as the Division elects to consider.
- E. Selections from the list of available trooper and inspector openings will be made on the basis of Academy recruit class rankings, with class members making their selections in descending order.

III. OBJECTIVES

- A. Establish a procedure for filling vacancies.
- B. Provide the Division with qualified employees in all positions.
- C. Maintain adequate staffing levels.
- D. Provide employees with opportunities for development, experience, and job diversity.

IV. GENERAL PROVISIONS

- A. In the event that there are more inspector enforcement cadets graduating from the Academy recruit class than there are full-time permanent positions available, the Division will place the remaining graduates in surplus (alpha) positions at locations based on current organizational needs. Positions will be cleared through the contractual transfer process prior to making them available to probationary employees or graduating recruit classes.
- B. Employees may contractually transfer twice in a calendar year.
- C. HR – Region 1 human resources will document cleared, declined and accepted positions and the list will be updated at the close of each business day or as soon as administratively possible.

- D. All methods of filling vacancies must be accomplished within existing Wisconsin Statutes, administrative code, labor agreements and proper personnel procedures.

V. PROCEDURE

- A. The Division will make the decision to certify vacant positions, as they arise, based on program and operational needs.
- B. Contractual transfers are completed for certified vacancies to include cross classification. Non-contractual transfer requests are considered after contractual transfers.
 - 1. Non-contractual transfer requests are discretionary.
 - 2. Employees shall utilize the on-line Contractual Transfer Request System, accessed through their MyDOT homepage for contractual transfers or non-contractual transfers to formally establish their desire to transfer.
 - 3. Requests expire each December 31 and can be renewed.
 - 4. Requests received after official certification of vacancies may not be considered.
 - 5. Requests are for classification and location. Work assignment is a management right.
- C. Contractual transfer requests will be administered pursuant to applicable labor agreements.
- D. Bureau Directors are responsible for the approval/denial of non-contractual transfer requests. Recommendations of the applicable region commander(s) and/or section chief shall be solicited and considered in making a decision. For non-contractual cross-classification transfer requests, the director of the prospective receiving bureau shall approve/deny requests.
- E. Seniority Date Tiebreaking
 - 1. 5/1/5 (State Patrol Troopers and Inspectors Only) In the event two employees have the same seniority date, seniority of the one against the other shall be determined by original Academy recruit class ranking with the person having the higher ranking considered to have greater seniority.
- F. Bureau Directors will determine the effective dates of all transfers.
- G. Training needs of transferring employees will be evaluated by region/section command staff and communicated to the Academy for recommendations.

- H. Non-represented transfers, voluntary demotions, and reinstatements of current employees to previously held classifications.
 - 1. Requests from within the DSP
 - a. The appointing authority shall determine the method by which to fill certified vacancies not covered by collective bargaining agreements.
 - b. Division employees eligible for transfer, voluntary demotion or reinstatement to a previously held position will be given priority consideration over requests from eligible non-Division employees. If not selected, Division employees will be notified prior to filling positions through other methods.
 - 2. Transfer requests from outside the DSP – If the appointing authority considers voluntary requests, voluntary demotions or reinstatements from outside the Division, the appointing authority may also consider hiring persons from promotional certification lists and interviews.
 - 3. Reinstatements – See DSP Policy & Procedure 11-10, Reinstatements.

VI. REFERENCES

Wisconsin Statute Chapter 230.29
Wisconsin Administrative Code, ER-Pers 15
Division of State Patrol Joint Labor Agreement 1-4
MyDOT – On-line Contractual Transfer Request System
DSP Policy & Procedure 11-10, Reinstatements.