

## ILLINOIS STATE POLICE DIRECTIVE PER-037, TRANSFERS

|   |  |
|---|--|
| <b>RESCINDS:</b><br>PER-037, 2022-086, revised 02-28-2022.      | <b>REVISED:</b><br>01-03-2023 <b>2023-114</b>                      |
| <b>RELATED DOCUMENTS:</b><br>PER-019, PER-020, PER-101, PER-010 | <b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b><br>21.2.4 |

### I. POLICY

I.A. The Illinois State Police (ISP) will:

- I.A.1. Consider transfers according to the applicable contract obligations and personnel rules.
- I.A.2. Make transfer decisions based on the operational needs of the Department.

I.B. The ISP may:

I.B.1. Transfer personnel:

- I.B.1.a. To ensure sufficient and qualified personnel are assigned to effectively perform its mission
- I.B.1.b. For other legitimate operational needs
- I.B.1.c. To maintain or enhance the operational and administrative functions of the Department

I.B.2. Waive conditions or procedures of this directive when the Director determines it is in the best interest of the Department.

### II. DEFINITIONS

II.A. Transfer - the assignment of an officer to a vacant position of the same classification or to a position involving similar qualifications, duties, and responsibilities for which the officer is qualified. Transfers may result in a payroll adjustment to reflect actual job assignment.

II.A.1. Hardship transfer - a transfer authorized by the Director when the Director determines an officer has sufficiently articulated adverse circumstances warranting such transfer.

II.A.2. Inter-Troop transfer - a transfer from one troop patrol assignment to another troop patrol assignment.

II.A.3. Inter-Zone transfer - a transfer from one zone investigative assignment to another zone investigative assignment.

II.A.4. Involuntary transfer - a transfer directed by the Department to ensure sufficient and qualified personnel are assigned to effectively perform its mission or for other legitimate operational needs.

II.A.5. Voluntary transfer - any transfer initiated by an officer or in response to a department inquiry, or resulting from a vacancy announcement that will enhance the Department's ability to ensure sufficient and qualified personnel are assigned to effectively perform its mission or for other legitimate operational needs.

II.B. Voluntary Transfer Lists – lists of officers who voluntarily request a transfer to a different assignment or location that are indexed on the date the request was received by the Office of Human Resources (OHR), Director's Office.

II.B.1. Investigative Transfer List - A list of Special Agents and Sergeants requesting a transfer to an investigative assignment.

II.B.2. Patrol Transfer Lists

II.B.2.a. Patrol Transfer List - Troopers - A list of Troopers requesting a transfer to a troop in patrol.

II.B.2.b. Patrol Transfer List - Sergeants - A list of Sergeants requesting a transfer to a troop in patrol.

II.B.3. Command Officer Transfer List - A list of any transfer requests from officers with the rank of Master Sergeant or above.

III. RESPONSIBILITIES

III.A. Sworn personnel requesting a voluntary transfer will:

III.A.1. Sign and submit a Voluntary Transfer Request (VTR) form, ISP 2-583, for the transfer.

III.A.2. Indicate a desire to be transferred or reassigned at a rank less than that presently held by requesting a rank reduction on the VTR, if applicable.

III.A.3. Forward the original VTR through the chain-of-command to his/her Commander.

III.B. If a transfer based on the VTR is offered and refused, the refusing officer's name will be removed from the list. The officer must submit a new VTR to be placed back on a list.

III.C. The Work Unit Commander of sworn personnel requesting a voluntary transfer will:

III.C.1. Make a recommendation regarding the transfer.

III.C.2. Sign the VTR.

III.C.3. Upon signing, the Commander will immediately fax or e-mail the VTR to the OHR at 217-524-0222 to expedite the receipt date. The original will be forwarded through the chain-of-command.

III.D. The OHR will:

III.D.1. Review all VTRs for completeness and accuracy.

III.D.2. Enter the transfer request in chronological order on the appropriate transfer list, by the date the OHR received the VTR.

III.D.3. Advise the officer and the chain-of-command that his/her name has been placed on the appropriate transfer list and identify the officer's current ranking.

III.D.4. Provide each division with updated Transfer Lists on a monthly basis.

III.D.5. Process the transfer of the selected officer upon receiving the approved Officer Action Request (OAR) form, ISP 2-94, from the officer's chain-of-command.

III.E. If an officer is transferring to a Troop or Zone, residency shall be established based on the guidelines outlined in ISP Directive PER-010, "Residency Requirements." Officers shall be advised of the residency exemption process when offered a transfer from the Voluntary Transfer List. Officers will follow the guidelines in PER-010, Section II.G., "Transfers."

## IV. PROCEDURES

## IV.A. Transfer Classifications

## IV.A.1. Investigative transfers

- IV.A.1.a. When an Investigative Commander determines there is a vacancy within an investigative unit that needs to be filled, the Commander will contact the OHR to obtain a copy of the current Investigative Transfer List.
- IV.A.1.b. The Investigative Commander will evaluate and identify the officers on the Investigative Transfer List who are requesting a transfer to the investigative unit in question.
- IV.A.1.c. There will be no Trooper designated as a Special Agent if an existing Special Agent has properly submitted a transfer request for the position in question. This rule applies only to Inter-Zone transfers.
- IV.A.1.d. There will be no Special Agent promoted to an Investigative Sergeant's position if an existing Investigative Sergeant has properly submitted a transfer request for the position in question. This rule applies only to Inter-Zone transfers.
- IV.A.1.e. In all instances not involving an Inter-Zone transfer, upon identifying officers on the Investigative Transfer List who are requesting a transfer to the investigative unit in question, the Investigative Commander will afford such officers an opportunity to interview for the position. Interviews of these candidates may be completed prior to, or as part of, the vacancy posting process.
- IV.A.1.f. The Investigative Commander may select the first officer on the Investigative Transfer List without completing an interview if the Commander determines such a transfer is based on operational needs.
- IV.A.1.g. If a transfer is approved by the Division(s) affected and is granted from the Investigative Transfer List, the current Commander will prepare and submit an OAR through the chain-of-command to the OHR specifying the necessary changes and effective date of transfer.
- IV.A.1.h. If the officer's new assignment is compensated at a level different from the officer's old assignment, or if there is a change between divisions, the appropriate Deputy Director will specify the changes on the OAR and submit to the Director's Office.
- IV.A.1.i. Transfers into investigative units at the discretionary rank of Special Agent will be made in accordance with ISP Directive PER-020, "Special Agent Vacancies."

## IV.A.2. Patrol transfers

- IV.A.2.a. When a Troop Commander determines there is a sworn vacancy within a troop that needs to be filled, the Commander will contact the OHR to obtain a copy of the current Patrol Transfer Lists.
- IV.A.2.b. If the vacancy is a Trooper position and the Division approves a transfer to fill such vacancy, eligible officers on the Patrol Transfer List - Trooper will be contacted and offered the position in numerical order as established by the appropriate collective bargaining agreement.
  - IV.A.2.b.1) If a transfer from the Patrol Transfer List - Trooper is accepted, the Division of Patrol (DOP) will notify the troop of the effective date for the transfer, and the current Troop will prepare and submit an OAR through the chain-of-command to the OHR specifying the effective date of transfer.
  - IV.A.2.b.2) If a transfer is granted and the officer's new assignment is compensated at a level different from the officer's old assignment, or if there is a change between divisions or an officer's discretionary rank of Special Agent to Trooper, the appropriate Deputy Director will specify the changes on the OAR and submit to the Director's Office.
- IV.A.2.c. If the vacancy is a Sergeant position, the Commander will contact the OHR to obtain a copy of the current Patrol Transfer List - Sergeant.

- IV.A.2.c.1) There will be no Trooper promoted to the rank of Sergeant within a Troop if an existing Sergeant has properly submitted a transfer request for that position. This rule applies only to Inter-Troop transfers.
- IV.A.2.c.2) In all instances not involving an Inter-Troop transfer, before a promotion is recommended to fill the vacancy, the Commander will identify the officers on the Patrol Transfer List - Sergeant who are requesting a transfer for the Troop in question and evaluate their qualifications for the position to be filled.
- IV.A.2.c.3) If the Commander identifies a qualified candidate from the Patrol Transfer List - Sergeant and the Division losing the officer approves a transfer from such list, the officer's current work unit will prepare and submit an OAR through the chain-of-command to the OHR specifying the effective date of transfer. The DOP will notify the Troop of the effective date for transfer.
- IV.A.2.c.4) If a transfer is granted and the officer's new assignment is compensated at a level different from the officer's old assignment, the appropriate Deputy Director will specify the changes on the OAR and submit to the Director's Office.

#### IV.A.3. Command Officer Transfers

- IV.A.3.a. When a Commander determines there is a vacancy at the rank of Master Sergeant or above within his/her unit that needs to be filled, the Commander will contact the OHR to obtain a copy of the current Command Officer Transfer List.
- IV.A.3.b. Before a promotion is recommended to fill the vacancy, the Commander will identify the officers on the Command Officer Transfer List who are requesting a transfer for the unit in question and evaluate their qualifications for the position to be filled.
- IV.A.3.c. If the Commander identifies a qualified candidate from the Command Officer Transfer List and the Division affected approves a transfer from such list, the officer's current work unit will prepare and submit an OAR through the chain-of-command to the OHR specifying the effective date of transfer.
  - IV.A.3.c.1) For Master Sergeant vacancies, a Master Sergeant who has a properly submitted transfer request on the Command Officer Transfer List prior to the posting of a position and the Master Sergeant meets all the qualifications listed for the position, the Master Sergeant will be granted a voluntary transfer to fill the position. The provision applies only to Inter-Troop and Inter-Zone transfers.
- IV.A.3.d. If the officer's new assignment is compensated at a level different from the officer's old assignment, the appropriate Deputy Director will specify the changes on the OAR and submit to the Director's Office.

#### IV.B. Transfer Restrictions

- IV.B.1. Upon graduating from the ISP Academy, an officer should complete two years at the assigned troop prior to a transfer being granted. An officer may submit a VTR and be placed on the Patrol Transfer List - Trooper at any time, but the transfers will not be considered during the probationary period. After completion of the probationary period but prior to serving two years at the assigned, troop officers will be granted transfers to troop before any subsequent officers graduating from the Academy are assigned to them. The Director may grant exceptions from this restriction for hardship cases and operational need.
- IV.B.2. If on the same date the OHR receives transfer requests from two or more officers with the same seniority date, the Academy class standing will be used to determine appropriate placement on the transfer list.

- IV.B.3. Only one transfer request will be allowed to be on file with the OHR.
- IV.B.4. An officer who receives a voluntary transfer, as defined in section II.A.5., must serve in the new troop/assignment for a period of 12 months. The Director may grant exceptions from this restriction for hardship cases and operational need.
- IV.B.5. Officers who voluntarily apply for, and are selected to serve in, a specialty unit (i.e., Crime Scene Investigator) may be required to sign an agreement to serve for a period greater than 12 months.
  - IV.B.5.a. The agreement must be reviewed by the Office of Labor Relations and Special Projects and the Legal Office, and be approved by the Director prior to implementation.
  - IV.B.5.b. The length of the service commitment should reflect the level of training, skill, and experience required to successfully operate in the specialty unit.
  - IV.B.5.c. Officers may be granted early release from this commitment at the discretion of the appropriate Deputy Director if another qualified officer is available to replace the officer requesting a transfer out of the specialty unit.
- IV.B.6. Any officer desiring to withdraw a transfer request must submit a written request through the chain-of-command to the OHR.
- IV.B.7. When the Director determines an officer has sufficiently articulated adverse circumstances warranting a hardship transfer, the Director may approve a voluntary transfer request. Officers requesting a hardship transfer must complete an OAR, sign it, forward the original OAR through the chain-of-command to his/her Commander, and attach a memorandum detailing the reasons for a hardship transfer.
- IV.B.8. Transfer lists will not be maintained for specialty units, e.g., Academy, Executive Protection Unit, Illinois Gaming Board, etc.
- IV.C. The Director
 

The Director reserves the right to involuntarily transfer officers to ensure sufficient and qualified personnel are assigned to effectively perform the Department's mission or for other legitimate operational needs.
- IV.D. Code Employee Transfers
 

Specific regulations governing individual transfers may vary depending upon collective bargaining agreements governing code employee transfers and Illinois Department of Central Management Services Personnel Rules (see Personnel Rules 302-400 through 302-460).
- IV.E. Transfer Costs
  - IV.E.1. When the transfer occurs, an employee initiating a voluntary transfer request will bear the cost of transportation of personal apparel and household goods.
  - IV.E.2. Upon completion of Cadet training at the Academy, all officers will be responsible for moving their household goods and personal belongings to their first duty assignment.
  - IV.E.3. When a transfer is required or requested by the Department, the Department will assume the transportation or reasonable cost of moving personal apparel and household goods.
    - IV.E.3.a. Contract moving at department expense will be provided only upon prior written authorization from the Director:
      - IV.E.3.a.1) When included as part of the employment negotiations for new hires of upper administrative or experienced specialist code personnel.

- IV.E.3.a.2) In an exceptional case for any employee when the Department requires or requests the transfer and department equipment is not available.
- IV.E.3.b. Employees who receive payment from the Department for moving expenses may be taxed for the expenses. Under certain conditions, however, these taxable expenses are deductible on the employee's tax return.
- IV.E.3.c. The OHR is to be notified by memorandum from the employee's work location Commander through the chain-of-command whenever contract moving at the Department's expense is required.
- IV.E.3.d. As determined by the Office of the Director, OHR will conduct a comparison of contract moving vouchers against contract moving expenses.
- IV.E.3.e. When an employee is being moved by department vehicles, insurance for damage or loss of personal apparel and household goods will not be provided.
- IV.E.3.f. An employee being transferred (other than voluntarily) will provide written notification of the transfer to the Logistics Bureau Chief, Division of Justice Services (DJS), to request department assistance with the move.
- IV.E.3.g. The Commanders of the Troops or Offices involved will provide sufficient on-duty personnel to load and unload the truck.
- IV.E.4. When sworn officers receive a transfer, Commanders may allow officers to take accumulated time (up to five working days) to take care of the details of moving to a new duty assignment.
- IV.E.5. When the Director requires and approves an involuntary transfer, the transferring employee will be authorized reimbursement for meals and lodging for a period not to exceed 45 calendar days immediately following the effective date of transfer, within the limitations set forth by the current travel regulations. When possible, the Department will give each employee required to transfer a minimum of 45 calendar days' notice. However, this does not supersede the Director's authority of assignment on a temporary basis.
- IV.E.6. A transfer agreement becomes official and binding on the date an officer accepts an offer to transfer, even though the effective date may come later.

| Indicates new or revised items.

**-End of Directive-**