

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 10.7

REVISED MARCH 2024

**FIELD AND HEADQUARTERS ASSIGNMENTS AND TRANSFERS
UNIFORMED EMPLOYEES**

1. SCOPE. The provisions of this General Order (GO) apply to assignments and transfers of all uniformed personnel and comply with all existing civil service laws and rules.

2. PURPOSE.
 - a. Details the procedures for assigning cadets to Area and Resident Post assignments.

 - b. Apprises departmental personnel of the criteria and procedures for uniformed transfers within departmental commands.

 - c. Provides information regarding opportunities for uniformed personnel to broaden their knowledge of departmental functions through a headquarters or field Division office assignment.

 - d. Provides departmental policy and procedure regarding the assignment of uniformed personnel to headquarters commands.

3. POLICY.
 - a. General Criteria—Cadet Assignments. There are four criteria which shall be considered for cadet assignments.
 - (1) Criteria 1—Needs of the Department. Used for certified bilingual bypasses; when it is necessary to have a bilingual officer in an Area.

 - (2) Criteria 2—Hardship. A hardship shall have occurred after appointment to the Academy.
 - (a) If a hardship exists, a complete explanation shall be attached to the CHP 42, Cadet, California Highway Patrol Field Assignment Information.

(b) If a hardship is requested, the Academy commander shall submit a memorandum accepting or denying the hardship request. If accepted, the memorandum shall be forwarded through the chain of command for approval. If denied, a copy of the memorandum, attached to the CHP 42, shall be sent to Uniformed Hiring Section (UHS), Uniformed Transfers/Promotions Services (UTS).

(3) Criteria 3—Residency. This is for cadets who reside within 70 miles of the command they chose. In the event of a tied score in Criteria 3, the tiebreaker shall be based on Criteria 4.

(a) Residency shall be established before the start of Academy training.

(b) Each cadet claiming this criterion shall provide a photocopy of 1) a current deed of trust or rental agreement; AND 2) a current utility bill (electric, gas, sewer, waste, or water). No other documentation will be accepted to verify residency.

(c) Cadets are required to provide verification the commute distance from their home to the command is 70 miles or less. Verification shall be completed via Google Maps and submitted on a CHP 42.

(4) Criteria 4—Academy Scores. A merit-based assignment system has been developed utilizing an average of scores obtained through standardized Commission on Peace Officer Standards and Training (POST) testing. The scores utilized shall be calculated on dates determined by UHS and shall not reflect the overall score at graduation. The scoring criteria are as follows:

(a) Average of POST Academic tests (weighted 60 percent).

(b) Average of POST Physical Agility test (weighted 20 percent).

(c) Average of POST Weapons scores (Firearms) (weighted 20 percent).

NOTE: When calculating the average test scores listed in paragraphs 3.a.(4)(a) through 3.a.(4)(c), the Academy shall utilize the cadet's initial attempt at each test regardless of any remediated scores obtained through the duration of Academy testing.

b. General Criteria—Uniformed Personnel.

(1) Performance. Satisfactory performance during the past 12 months shall be a consideration for all transfers. Unsatisfactory performance may be cause for denial of a transfer request.

(2) Duty Status. Off-duty status (Section 4800.5 of the California Labor Code, or sick leave) may be grounds for denial of a transfer request and/or transfer. The projected length of off-duty status and the workload needs of the uniformed employee's currently assigned command shall be the primary concern. The final decision rests with the appropriate Commissioner.

(3) Limited Duty. An employee currently on limited duty may be grounds for denial of a transfer request and/or transfer. The projected length of limited duty shall be the primary concern. The final decision rests with the appropriate Commissioner.

(4) Probation. Employees are not eligible for voluntary or administrative transfers until the completion of their probationary period.

(5) Exemptions. The Commissioner or designee, as the appointing authority, may approve requests for exemptions from the general criteria as stated in this policy. Pursuant to Section 12940 of the Government Code (GC), transfers shall not be approved if the purpose of the transfer is to discriminate. Hiring commands may request an exemption from the following general criteria:

(a) All exemption requests shall be in writing and include sufficient details as to the reason(s) for the request.

(b) All exemption requests shall be made in consultation with the Department's Equal Employment Opportunity (EEO) Officer before seeking the Commissioner's approval. Pursuant to GC Section 19795, the EEO Officer shall review the exemption request and make recommendations to the Commissioner.

(c) The Commissioner or designee, as the appointing authority, retains the full authority to render decisions on exemption requests pursuant to Sections 19994.1 and 19050.5 GC.

c. Transfer Priorities—Officers Through Lieutenants. Transfers and assignments of officers, sergeants, and noncommand lieutenants are based on the following criteria in order of priority:

(1) Needs of the Department, including but not limited to, specialized skills, required licenses, and language fluency.

(2) Hardship based on the health or welfare of the employee and/or the employee's family.

(3) Seniority.

d. Assignments. Lieutenant commanders and above shall be required to remain a minimum of one year in an assigned location regardless of whether the assignment was the result of a transfer or a promotion, unless otherwise specified in the job announcement.

(1) The Department recognizes circumstances may arise which may necessitate a transfer prior to the employee's completion of a one-year command assignment (e.g., due to Department needs or other extenuating circumstances). During such situations, Division commanders shall prepare a justification memorandum and submit it to the appropriate Assistant Commissioner for review. If the transfer request is determined to be merited, it shall be forwarded through channels to the Deputy Commissioner (or designee) who shall serve as the final deciding authority. Such transfer requests shall occur infrequently and demonstrate a clear and relevant benefit to the Department and to the communities it serves.

(2) Any deviations to the one-year command-assignment policy may be approved as exceptions to the rule and in keeping with the accomplishment of the Department's mission and Strategic Plan goals.

(a) Lieutenant Commanders and Above.

1 Command vacancies shall be advertised statewide as outlined in paragraph 3.p.(2).

2 An STD. 678, Examination/Employment Application, shall be required as outlined in paragraph 3.p.(2)(d).

3 Interviews shall be conducted in accordance with California Code of Regulations (CCR), Title 2, Administration, Section 250.

4 Assignments shall be made by the appropriate Division commander, with approval by the appropriate Commissioner. If such an assignment results in a promotion, the rule of three ranks process shall be utilized as outlined in paragraph 3.e.(2).

5 Selection for command vacancies shall be based upon experience and qualifications for the vacancy.

6 Selection for headquarters command vacancies is at the sole discretion of Executive Management.

(b) Chiefs. Assignments shall be made by Executive Management. If such an assignment results in a promotion, the rule of three ranks process shall be utilized as outlined in paragraph 3.e.(2).

(c) All Levels. Upon final selection for the assignment, the employee's new commander shall prepare an administrative assignment memorandum setting forth the nature of the assignment, the appropriate minimum and maximum tour-of-duty-duration dates, and the method in which subsequent assignments shall be made.

1 The memorandum is to be signed by the headquarters or field commander and signed by the employee (refer to Annex D).

e. Promotions.

(1) Per Section 18901 GC, promotional lists are valid for a minimum of 12 months and a maximum of 48 months. Generally, all uniformed promotional lists shall expire in 24 months, unless all eligible employees on the list have been promoted, the list has fewer than three names of persons who are willing to accept employment, or if the Commissioner deems a shorter or longer time period would be in the best interest of the Department.

(2) Administrative promotions for sergeants through Chiefs shall be made from the certified eligibility list, in accordance with the rule of three ranks. The hiring supervisor shall contact UHS, UTS, to obtain the eligibility for individuals who have expressed interest in the position.

(3) An exception to Section 19057.1 GC has been received from the California Department of Human Resources for field promotions for sergeant and lieutenant classifications. This exception allows the Department to clear the certification lists for these classifications by promoting the candidates based on their original position on the list.

(4) The following language shall be included in advertisements for administrative and commander vacancies, "All personnel on the current promotional list may apply, and a selection shall be completed based upon the rule of three ranks."

(5) In order for an employee to be approved for promotion, the employee shall be working full duty (not on limited duty or injury status), performing at a satisfactory level (not on interim reporting), and does not have an adverse action pending.

f. Managerial Relocation. Under the provisions of CCR Section 599.676.1, managerial employees who are required to relocate upon their initial promotion may receive a two-step salary increase upon movement to the higher classification. (Refer to Highway Patrol Manual [HPM] 10.3, Personnel Transactions Manual, Chapter 6, Salaries, for guidelines.)

g. Administrative Time Off. Designated managers (lieutenants through Chiefs) who relocate to a new assignment due to a transfer or promotion may be granted up to five days of administrative time off by their commander in order to move or attend to details associated with the move (e.g., housing, schools). The granted five days do not need to be used consecutively.

h. New Transfer Request. Employees who have received a transfer may not submit another transfer request until after reporting to their new command. The new transfer request shall then be from their new command and require their new commander's approval. The UHS, UTS, shall not accept or process a CHP 220, Request for Uniformed Transfer, from officers more than 90 days prior, and from sergeants and noncommand lieutenants more than 60 days prior, to the completion of their probationary period (refer to Annex B). These timeframes also apply to request for administrative transfers. Transfer requests shall be submitted as outlined in paragraph 4.b.

i. Assignments Resulting in Related Employees Working Together.

(1) Policy. It is the Department's policy that employees shall not use personal power or influence to aid or hinder other employees because of a personal relationship by virtue of blood, marriage, or adoption. Accordingly, the Department seeks to avoid employment situations where a supervisory or command relationship exists between related employees assigned to the same command location.

(2) Definition of a Related Employee. Persons related by blood, marriage, or adoption are defined as any of the following: husband, wife, father, mother, son, daughter, brother, sister, half-brother, half-sister, grandparent, grandchild, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, uncle, aunt, nephew, niece, or first cousin.

(a) Assignment. To comply with this policy, employees offered promotional opportunities, employees requesting transfers or reinstatements, and cadets requesting initial assignment preferences shall be required to indicate if they are related, as defined in paragraph 3.i.(2), to departmental employees who are supervisors or commanders, or if the employee may supervise or command a related employee assigned to the same command location.

(b) Normally, all departmental employees, including immediate family members, may be allowed to work together as coworkers or partners in an operational environment. Commanders shall reserve the right to preclude

any assignment of an employee in a command, if in their judgment, the assignment could cause internal morale or supervisory problems.

(c) Employees who become related after assignment to the same command location, and are in a subordinate/supervisory relationship, shall notify their commander. Upon notification, the commander shall review the current assignments for conformity with departmental policy, with consideration given to the needs of the command's operations. Approval by the commander, with the concurrence of the next level of review, is required for continuance of the assignments.

(d) Related employees shall not be assigned to the same command when either is the commander.

(e) Direct supervision of a related employee shall not be permitted.

j. Mutual Transfers. Mutual transfers shall occur if the following conditions are met:

(1) Both employees shall have a CHP 220 on file designating the command they want to transfer to as their first choice.

(2) Both employees shall be number one to transfer to their first-choice command.

k. Commercial Vehicle Enforcement Facilities.

(1) Sergeants and officers requesting a transfer to a Commercial Vehicle Enforcement Facility (CVEF) shall complete and submit a CHP 220. If transferred, the employee shall remain in the CVEF assignment for a minimum of one year. However, the one-year assignment shall not apply to personnel who have previously been assigned to the Commercial Program for a minimum of one year and have maintained Level I Commercial Training certification. If applicable, commanders shall certify on the CHP 220 the requirements for the CVEF assignment and commercial training have been met.

(2) If a sergeant vacancy occurs and there are no requests for transfer on file, the position shall be offered as part of the promotional process, and the one-year probationary assignment commitment would apply.

(3) If an officer vacancy occurs and there are no transfer requests on file, the position may be advertised and filled consistent with Department policy.

l. Temporary Assignments. Division commanders may temporarily reassign personnel from one location to another within their commands. Justification shall

be forwarded to the appropriate Commissioner for approval prior to making any temporary assignment in excess of 30 calendar days. The commander requesting the action shall subsequently notify UHS, UTS, of the location and period of temporary assignment. When a temporary assignment is made, pay and attendance reporting shall be the responsibility of the permanent command where the employee is officially assigned until an actual transfer is made. For the purposes of signing up for voluntary overtime while on a temporary assignment, an employee shall fall into overtime rules governed by the office of the temporary assignment.

m. Resident Post.

- (1) Commanders shall make assignments within their commands.
- (2) Resident Post vacancies within a command are normally filled by qualified volunteers from within the host Area.
- (3) When personnel are assigned to a Resident Post, this location shall be considered their geographical work location or headquarters.
- (4) Voluntary assignments to a Resident Post shall be for a minimum of one year unless the commander requests the employee be reassigned at an earlier date.
- (5) If there is a change of location (i.e., an assignment to or from a Resident Post), the commander shall notify UHS, UTS, by memorandum, identifying the employee(s) affected, and the effective dates (refer to Annex F).
- (6) The filling of vacancies from outside the command shall be accomplished according to the procedures in paragraph 4.c.
- (7) Resident Post vacancies (officers and sergeants) shall not be filled by cadet assignment or promotion unless agreed upon by the affected commander and Division commander.

n. Transfers to Bilingual Services Positions. Section 7292 GC requires state agencies to provide bilingual services to non-English-speaking members of the public. To comply with this GC, the Department shall permit employees with certified bilingual skills to voluntarily transfer, regardless of seniority, to those departmental locations having bilingual position vacancies, provided the number of bilingual employees assigned to these locations is less than the required minimum staffing level (refer to Annex C).

- (1) Definition—Bilingual Services Position. For the purpose of this GO, a bilingual services position is defined as a public contact position in

departmental command locations where 2.5 percent or more of public contacts are with members of a group who either do not speak English, or are unable to effectively communicate in English, because it is not their native language (refer to Annex C).

(2) Bilingual Pay. A bilingual services position, as defined in this GO, does not constitute authorization for bilingual salary compensation. To receive the pay differential, lieutenants and above shall meet the criteria outlined in HPM 10.3, Chapter 32, Pay Differentials, and the pay authorization shall be approved by the appropriate Commissioner. Sergeants and officers shall meet the criteria outlined in HPM 10.3, Chapter 32, or be assigned to a location with designated bilingual positions (refer to the Office of Equal Employment Opportunity's [OEEEO] CHP Intranet site).

(3) Bilingual Transfer Requests. Voluntary bilingual transfer requests are subject to all the provisions governing voluntary transfers. However, seniority shall prevail only when more than one bilingual employee has requested a transfer to the same bilingual position.

(4) Bilingual Assignment Commitment. Officers transferring on the basis of bilingual skills, where more senior officers have been bypassed in seniority, shall remain in the bilingual location for a minimum period of one year.

(5) Fluency Examination. Before a voluntary or administrative bilingual transfer is granted, the requester shall be certified as fluent in the required language through a language fluency examination.

(6) Language Usage Requirement. Officers accepting transfer to a bilingual services position shall be required to use the necessary second language skill in the assignment.

o. Voluntary Transfers. Voluntary transfers are valid and binding unless a request for cancellation is received prior to action commencing to fill a position (refer to paragraph 4.e.[4]).

(1) Seniority.

(a) Transfers to an Area and CVEF are by seniority. Employees seeking transfer by seniority shall submit a CHP 220.

(b) When two or more sergeants or lieutenants request a transfer to the same location, and have the same seniority, the earliest certification list date and highest score shall take precedence.

(2) Probation. A CHP 220 shall not be submitted to UHS, UTS, from officers more than 90 days prior, and from sergeants and noncommand lieutenants more than 60 days prior, to the completion of their probationary period.

(3) Interim Reporting. A transfer request shall not be submitted by an employee who has been placed on interim reporting. If the employee is placed on interim reporting subsequent to an approved transfer request, the commander shall notify UHS, UTS. The UHS, UTS, shall cancel the CHP 220 and return it to the commander.

(4) Relieved of Duty. A transfer request shall not be submitted by an employee who has been relieved of duty. If the employee is relieved of duty subsequent to the submission and approval of a transfer request, the involved commander shall notify the appropriate Commissioner, through channels. The final decision to cancel an approved transfer request rests with the appropriate Commissioner.

(a) For the purposes of this policy, “relieved of duty” includes those cases where an employee has been placed on Administrative Time Off or has had their Peace Officer powers removed.

(5) Transfer Choices for Officers, Sergeants, and Noncommand Lieutenants. Transfer requests shall be limited to four Area location choices. When more than one location choice has been listed on a transfer request, the order of preference shall be considered. However, the transfer may be made to any one of the locations listed without further notice to the individual.

(6) Commissioner Approval. Due to operational needs, all requests from lieutenant commanders and above for transfers within the mandatory period of their assignment require the approval of the Commissioner.

p. Administrative Assignments. It is the Department’s policy to temporarily assign uniformed personnel of all ranks to administrative assignments, including headquarters, the Academy, or Divisions, both to enhance program operations through the application of field experience and for personal development of the employee. The duration of such assignments shall be limited in accordance with the provisions of this directive. The assignment of all uniformed personnel to, and the transfer from, administrative assignments shall be by administrative transfer.

(1) Definition. An administrative assignment for uniformed personnel of all ranks includes headquarters, the Academy, and Division positions. These positions are advertised via Communications Network (Comm-Net) message, interviews are conducted, and a selection is made.

(2) Request for Position Action. The following procedures shall be followed when filling these positions:

(a) CHP 127, Request for Position Action. A CHP 127 and required documentation shall be completed and submitted, via e-mail, for specific positions as outlined in HPM 10.3, Chapter 33, State's Personnel Classification Plan. Each e-mail submission shall contain the following:

1 The CHP 127 (with appropriate signatures) as a scanned PDF file.

2 The position's current CHP 129, Duty Statement, as an editable Adobe Acrobat PDF file.

a If the duties for the position have changed, a proposed CHP 129 (as an editable Adobe Acrobat PDF file) shall be submitted along with the current CHP 129.

3 The position's current signed and dated organizational chart, as an Adobe Acrobat PDF file.

a If the position has moved or is being reclassified, a proposed organizational chart (as an Adobe Acrobat PDF file) shall be submitted along with the current organizational chart.

4 A Comm-Net message will be developed by the UTS analyst utilizing the required information provided by the command on the Comm-Net message information template submitted with the CHP 127 package. Commands shall electronically submit the template with the CHP 127 package reflecting the following:

a The position number listed in the title of the Comm-Net message.

b A reference to the one-year minimum requirement for administrative assignments.

c Required language shall be included (refer to paragraph 3.e.[4]).

d The Comm-Net message advertising the vacancy shall include the following statement: "It is anticipated this position will be filled during the next transfer and/or promotion cycle."

e The Comm-Net message shall include language regarding where to submit a STD. 678, Examination/Employment Application and CHP 423, Employment Applicant Disclosure.

f The Comm-Net message shall include the following statement: "Interviews of the most qualified candidates shall be conducted by telephone or in-person. State travel for interviews is not authorized; therefore, a choice between a telephonic or in-person interview will have no bearing on the evaluation of performance."

g A reference to the State of California as an equal employment opportunity employer.

(b) Submission. A CHP 127 package may be submitted via e-mail up to, but not exceeding, 90 days in advance of an anticipated position vacancy.

1 All CHP 127 packages for offices reporting to the Commissioner shall be e-mailed to the administrative lieutenant in the Commissioner's office.

2 Packages from commands reporting to Assistant Commissioner, Field (ACF), shall be e-mailed to CHP-ACF_CHP127_Uniform@chp.ca.gov.

3 Packages from commands reporting to Assistant Commissioner, Staff (ACS), shall be e-mailed to CHP-ACS_CHP127_Uniform@chp.ca.gov.

4 Approved CHP 127s and their corresponding Comm-Net messages are valid for 180 days. If the CHP 127 and the Comm-Net message exceed the 180-day time frame, the request shall be resubmitted via e-mail as noted in paragraph 3.p.(2).

(c) Advertisement of Positions to be Filled by Administrative Transfer. All positions, at all ranks, to be filled by administrative transfer, shall be advertised statewide for a ten-calendar-day period.

(d) Applications.

1 Employees applying for administrative assignments are required to submit a STD. 678.

2 When submitting a STD. 678, the form shall be submitted directly to the hiring supervisor noted on the advertising Comm-Net message.

Cover memorandums are not required; however, when submitting a STD. 678 to the hiring supervisor, employees shall notify their commander of their application via e-mail at the time of submission. A résumé is optional and may be included in addition to the STD. 678.

3 An employee requesting to cancel a submitted STD. 678 shall notify the hiring supervisor directly, via e-mail, to advise of their intent to withdraw from the application process.

4 When submitting a STD. 678, the applicant shall also include a CHP 423. The CHP 423 authorizes the release of personnel file information and the review of progressive discipline records. Once an applicant selection has been made, the hiring command shall complete a background check, reference checks, and review of the field folder or the official personnel file which can be obtained through the Human Resources Section (HRS), Personnel Files Services (PFS). References may be the former supervisors listed on the STD. 678 or may be requested from the applicant. During the review, HRS, PFS, shall coordinate with the Office of Internal Affairs for disciplinary information required to be released to the hiring command.

(e) Application Screening Matrix.

1 Hiring commands shall use a matrix to screen all received applications to determine eligibility for interview. The application screening process shall include UHS, UTS, to verify promotional list eligibility, if applicable. Prior to reviewing applications, commands shall develop job-related screening criteria, which directly relates to the minimum requirements and the duties of the vacant position, by utilizing the CHP 129 for the position advertised. The application screening criteria should focus on work experience, education, and any special requirements, essential skills, and job-related knowledge an individual must possess in order to perform the duties of the position advertised (e.g., communication skills, managerial experience). Scoring criteria shall be established for each screening criterion utilizing a point-based scale. It is imperative the scoring criteria be as objective as possible. The application screening matrix shall be used during the application review process to document the scores awarded for each established criterion, and shall include the following information:

a Classification and position number of the position being advertised.

- b The name of every applicant for the position.
- c Each screening criterion established for the position.
- d Scores for each criterion and the total score for each applicant based on a thorough review of each application.

2 The application screening matrix scores shall only be used to determine if the applicant(s) are eligible for an interview and shall not be used as the sole basis for selecting a candidate for hire. A sample application screening matrix can be located on the CHP Intranet site under Organization > Assistant Commissioner, Staff > Personnel and Training Division > Selection Standards and Examinations Section > Application Screening Criteria/Interview Rating and Scoring Criteria.

(f) Interviews.

1 Prior to conducting interviews, the command shall establish interview questions. In order to assess an applicant's qualifications and potential for success in the position, interview questions should be open-ended and job-related. In addition, for advertised positions which may involve applicants on a promotional list, additional questions shall be included which are indicative of the knowledge, skills, and abilities of the subject rank. For positions at the rank of lieutenant and above, questions related to management and leadership should be used to assess the applicant's abilities. It is important to ask each applicant the same questions during the interview; however, specific questions may be asked related to their application or work experience. Accordingly, applicants may be asked follow-up questions to clarify specific experience listed on their STD. 678. Normally, interview questions should not be provided to applicants in advance.

2 Commands shall establish a merit-based, interview rating criteria based on job-related qualifications when developing interview questions. Interview rating criteria shall assess the applicant's responses to the interview questions relative to education, experience, communication skills, transferable skills, and other job-related qualifications. Commands must be able to substantiate their selection was based upon a fair and objective assessment of job-related qualifications.

(g) Selection for Assignment. The selection of uniformed personnel to administrative assignments shall be by a merit-based, interview rating criteria based on job-related qualifications. When a selection has been

made, the CHP 128, signed CHP 129, and updated organizational chart, shall be submitted, via e-mail, to UT-CHP127s@chp.ca.gov.

1 Strong consideration shall be given to achieving an administrative/field balance in the individual's assignment history.

2 Selection interviews shall be required. Seniority shall be the governing factor when the qualifications of applicants are equal.

3 In all cases, the final selection is subject to the approval of the appropriate Commissioner(s).

4 In the event a candidate is selected for an administrative assignment, and the selection would result in a promotion for the candidate, the hiring supervisor shall verify with, UHS, UTS, the current eligibility of the candidate in accordance with the rule of three ranks, as noted in 3.e.(2).

5 The selection of all lieutenant commanders, administrative lieutenants, and above, shall be confirmed through the appropriate Assistant Commissioner, via telephone. Applicants shall not be informed of their hiring status during the background and approval phase of the hiring process.

6 Retention of Hiring Records. The provisions of CCR Section 26 require the maintenance of all records of employment practices including, but not limited to, all STD. 678s, résumés, screening criteria, interview notes, and materials used in the selection of the appointee for a five-year retention period. This five-year retention period begins when the records are received.

(h) Duration of Administrative Assignments.

1 The minimum duration of an administrative assignment is one year. This requirement may be waived in unusual circumstances such as the abolishment of the position occupied by the individual, or the early termination or completion of a special project.

2 The maximum duration of an administrative assignment is four years. This may be extended by not more than one year, for a total assignment duration of five years, by the appropriate Division Commander. All extensions of administrative assignments beyond five years shall be approved by the appropriate Commissioner.

3 An individual may transfer in grade or by promotion from one administrative field assignment to another. Uniformed personnel shall not remain in the administrative environment, regardless of changes in rank or specific assignment, for more than four years, with extensions being subject to the provisions of paragraph 3.p.(2)(h)2 above. Additionally, if a promotion will extend the four-year assignment, the appropriate Commissioner approval will be required prior to the promotion.

4 In consultation with their commander, uniformed personnel shall take the steps necessary to accomplish a transfer to a field assignment within the foregoing minimum and maximum tour of duty requirements.

5 The maximum duration of administrative assignments does not apply to commander, Governor's Protective Detail, Dignitary Protection Section, Judicial Protection Section, Threat Assessment Unit, Capitol Protection Section, and specialized state or federal task forces. Due to the specialized nature and regular engagement in law enforcement duties, Division investigative services, canine, commercial enforcement, air operations, Multidisciplinary Accident Investigation Teams and detectives are also exempt from a maximum duration. The duration of these Division assignments shall be at the discretion of the Division commander. Division positions that do not regularly engage in law enforcement duties are not exempt. This includes background investigators, recruitment, public information, general support, evidence, and training officers.

(i) Completion of Administrative Assignments. Upon completion of an administrative assignment, lieutenants, sergeants, and officers shall be administratively transferred in accordance with the following guidelines:

1 Officers. Officers shall be administratively transferred to their last permanent field assignment regardless of current seniority standing for that command or its position vacancies. However, upon request, the officer shall be administratively transferred to any field command with a current position vacancy where they have seniority. Officers who transfer to a consecutive administrative assignment do not have a mandatory right of return to their former field command.

2 Lieutenants and Sergeants. Lieutenants and sergeants shall be administratively transferred to their last permanent assignment, regardless of their current seniority standing for that command, if a vacancy exists. However, upon request, the lieutenant or sergeant

shall be administratively transferred to any field command with a current position vacancy where they have seniority-based transfer rights.

3 Captains and Above. Captains and above may submit a request for assignment to any vacant position at the appropriate rank. The final determination of assignment shall be by Executive Management decision based on the needs of the Department.

(j) Promotions While on an Administrative Assignment. Officers and sergeants who promote while on an administrative assignment do not have a mandatory right of return to their former command. Upon request, an officer or sergeant who promotes while on an administrative assignment shall be administratively transferred to any field command with a current position vacancy where they have seniority-based transfer rights at their new/current rank.

(k) Other Considerations.

1 Tenure of Positions for Absent Commanders. When a commander is absent from the command for an extended period of time, the position shall be considered for refill after six continuous months. This policy is for the purpose of ensuring continuity of command and maintenance of operational efficiency. Exceptions may be granted by the Commissioner. The Commissioner reserves the right to refill any command vacancy, at any time, to preserve the best interest of the Department. A returning commander whose prior position has been refilled shall be reassigned based on the best interest of the Department and in accordance with applicable state rules and regulations.

2 Mandatory Administrative Transfer. A 60-day advance written notice is provided to the employee as required by Section 19994.1 GC for administrative transfers where relocation of employees is reasonably expected. This requirement may be waived by the employee in writing. Unless the employee waives this right, the appropriate Commissioner shall provide the employee (60 days prior to the effective date of transfer) a written notice of the reasons why the employee is being transferred.

3 Voluntary Administrative Transfer. An employee who requests a transfer to a position filled by administrative decision is not automatically entitled to the 60-day advance written notice provided in

Section 19994.1 GC. Such requests are not considered to be transfers required by the Department.

(l) Temporary Assignments to Headquarters.

1 Assignments to headquarters may be of short duration for the purpose of special projects which do not necessitate a permanent transfer.

2 A 30-calendar-day temporary assignment may be required as a prelude to a permanent transfer to allow the individual and the headquarters command to mutually agree on the individual's suitability and desire for the position.

4. TRANSFER BY ADMINISTRATIVE DECISION.

a. Acceptance of Position.

(1) Transfer by administrative decision shall cancel any other CHP 220 on file in UHS, UTS.

(2) Headquarters and field Division commands shall notify ACF at least 30 days prior to the effective date of an administrative transfer.

b. Voluntary and Hardship Transfers.

(1) Completion of the CHP 220. A CHP 220 shall be submitted by individuals requesting voluntary and hardship transfers, and should be completed as follows:

(a) Officers, sergeants, and noncommand lieutenants shall prepare their CHP 220 for submission to their commander. A copy shall be made for the command's file.

(b) The employee shall complete all items in the top section of the CHP 220 above Section B.

(c) Each location requested shall be shown with the designated location code number and name. If the location is served by a Resident Post, employees shall indicate whether or not they are willing to accept assignment to a Resident Post and, if applicable, list the Resident Posts in order of preference. When an assignment is made to a Resident Post, the host Area shall be considered the primary assignment unless otherwise

noted. If a Resident Post is the only assignment desired and not the host Area, note on the CHP 220 "RP Only."

(d) When a hardship transfer is requested for reasons of health of the employee or the employee's family, a doctor's statement shall be attached to the original CHP 220. The doctor's statement shall include a complete explanation of the health problem, the necessity for leaving the assigned location, what benefit would result from the transfer to the requested location(s), and the approximate date of the onset of the health problem. In addition to the doctor's statement, on the reverse side of the CHP 220 or on a plain 8 1/2" x 11" paper, provide the following information to assist in considering the transfer request:

- 1 Fully explain the problem causing the hardship and specify why the location(s) listed are requested. Would consideration be given to other locations with comparable climatic conditions or facilities? If not, a full explanation is to be given as to why only the location(s) listed will alleviate the hardship.
- 2 List the names and addresses of doctors consulted. Is authorization given for these sources to release medical information?
- 3 Approximate date when the health problems began.
- 4 Are there any relatives of the employee or family living in the requested location(s)?
- 5 Does the employee or family own property in the requested location(s)?

(e) When a hardship transfer is requested for reasons other than health, on the reverse of the CHP 220, or on a plain 8 1/2" x 11" paper, provide a full explanation of the problem, consequences of staying in the assigned location, and benefits expected in the requested location(s). Attach any supporting documentation to the CHP 220.

(2) Approval and Submission of the CHP 220.

(a) On all requests for voluntary transfer, the immediate commander shall:

- 1 Verify the employee does not have an adverse action pending and is not on interim reporting.

- 2 Verify the employee is expected to successfully complete probation prior to the effective date of requested transfer.
- 3 Verify any prior commercial program assignment and completion of Level I Commercial Training certification if a transfer request is to a CVEF.
- 4 Verify employee is suitable for a Resident Post assignment if a transfer request is to a Resident Post as described in paragraph 4.c.(1).
- 5 Forward requests for transfer without delay, except as noted in paragraph 3.h.
- 6 The immediate commander, or their designee, shall forward the approved CHP 220 directly to UHS, UTS, via e-mail to:

 - a CHP-Form220-Officer@chp.ca.gov.
 - b CHP-Form220-Sgt-Lt@chp.ca.gov.
- 7 The CHP 220 requests falling into any of the following categories shall be routed through Division in an envelope marked "CONFIDENTIAL."

 - a In hardship transfer cases, the employee's immediate commander shall investigate the circumstances surrounding the request and certify the facts presented by the employee. The commander shall then transmit the employee's CHP 220, along with verification of the circumstances and the commander's recommendations, to the appropriate Division Chief. The Division Chief shall review the request, make recommendations, and forward the request to the appropriate Commissioner. The appropriate Commissioner shall render a decision regarding the employee's request for hardship transfer.
 - b If the hardship transfer request is approved, the Division commander shall be notified and the request shall be forwarded to UHS, UTS, for action. Should the appropriate Commissioner require additional information, the package shall be forwarded to the Personnel and Training Division, UHS, UTS.
 - c Hardship transfer requests disapproved by the appropriate Commissioner shall be returned through command channels.

The CHP 220 shall be forwarded to UHS, UTS, as a voluntary transfer request.

(b) Disapproved transfer requests for officers, sergeants, and noncommand lieutenants shall be routed to Division for review and concurrence. Division shall return disapproved requests to the commander who shall notify the employee of the reason(s) for the disapproval.

(3) Acknowledgement that CHP 220 is Received in Uniformed Hiring Section, Uniformed Transfers/Promotions Services. The CHP 220 shall be processed by UHS, UTS, only when the transfer books are open as noted in 4.e.(2)(a). Upon receipt of the transfer request, UHS, UTS, shall:

(a) Indicate the employee's current standing for the location(s) requested, complete Section D of the CHP 220, and acknowledge receipt of the request by e-mailing the CHP 220 back to the sender.

(b) Place the approved, e-mailed PDF copy of the CHP 220 in the employee's personnel file with the date of transfer when a transfer is affected.

c. Resident Posts. Assignments to Resident Posts shall normally be made pursuant to paragraph 3.m. When a Resident Post vacancy is anticipated where there are no qualified volunteers within the host Area, the Division Chief shall inform ACF of the location and anticipated date of vacancy.

(1) Commander's Responsibility. When a CHP 220 is submitted for a Resident Post assignment, the employee's commander shall:

(a) Contact the Area commander of the requested Resident Post to ascertain what knowledge/skills the officer shall possess to be considered for the Resident Post assignment. The commander of the host Area in which the Resident Post is located may also solicit information about the officer's skills and job performance.

(b) Indicate on the CHP 220 whether or not the employee is suitable for assignment to a Resident Post. A separate written recommendation may be attached concerning the individual's qualifications and abilities.

(c) If it is determined the officer is not suitable for a particular Resident Post assignment, the current commander shall advise the officer of the reason(s) the Resident Post transfer request is being disapproved.

(2) Selection. Selection shall be based on seniority if requests are received from more than one qualified employee.

(a) All active transfer requests shall remain on file except for the employee selected for the Resident Post assignment.

(b) In the event no one is interested in the Resident Post, ACF shall advise the Division Chief.

(3) Termination of a Resident Post Assignment. An employee may request to terminate a voluntary Resident Post assignment at any time after the minimum one-year period. The individual shall submit a memorandum to the commander requesting assignment to another unit of the host Area, or a CHP 220 requesting transfer to another location. The UHS, UTS, shall be notified of such assignment change by a commander's memorandum (refer to Annex F).

d. Bilingual Services Positions. Bilingual services positions shall be filled by certified bilingual employees with an approved transfer request on file. Officers desiring a bilingual services position shall submit an approved CHP 220 prior to the closing of the transfer books. If there are no requests on file from certified bilingual officers, bilingual cadets may be assigned to the locations determined to have need of bilingual services assignments.

e. Deadlines, Cancellations, and Amendments of a CHP 220.

(1) Deadlines—General.

(a) Deadlines are established on a specific date or when a "study" is in progress. A study consists of matching vacancies with transfer requests on file. It may be in conjunction with a cadet class, promotion, or other administrative action. Once a deadline date has passed, transfer books shall be closed. Information regarding standings cannot be given until the study is completed and approved. The books shall reopen at that time. Any transfer requests, amendments, or cancellations submitted after the study is in progress cannot be considered for that study.

(b) Transfer requests on file are subject to assignment at times other than in conjunction with cadet assignments (e.g., in conjunction with reinstatements, filling Resident Posts, administrative moves). In refilling these vacancies, no deadline date is given, and consideration is given only to transfer requests on file on the date instructions are given to fill the vacancies.

(2) Deadlines—Officers. When volume transfer dates are determined, commanders shall be notified by Comm-Net message of the final date for receipt of a CHP 220 in UHS, UTS.

(a) Original requests, amendments, and cancellations shall be received in UHS, UTS, by 1700 hours on the deadline date. Original requests, amendments, or cancellations received in UHS, UTS, after the deadline date shall be returned electronically to the immediate commander or designee unprocessed. Communications Network messages or other communications (such as faxes) shall not be accepted in lieu of an electronic CHP 220.

(3) Deadlines—Sergeants and Above. A CHP 220 from sergeants and above shall be received electronically in UHS, UTS, by 1700 hours by the 5th of the month, to be included in that month's transfer and promotion study. If the 5th is on a weekend or holiday, the next business day shall apply. Original requests, amendments, and cancellations received in UHS, UTS, after the deadline date shall not be considered for the current study but shall be retained for future studies. The Comm-Net messages or other communications (such as faxes) shall not be accepted in lieu of an e-mailed CHP 220.

(4) Cancellations.

(a) An approved request for transfer shall remain in effect until one of the following occurs:

- 1 Transfer to one of the requested locations is affected.
- 2 The employee is appointed to another classification or position.
- 3 The employee cancels the request.

NOTE: Voluntary transfers are valid and binding unless a request for cancellation is received prior to the close of the transfer books' deadline.

- 4 The employee amends the request.
- 5 The employee is placed on Interim Reporting.
- 6 The employee is subject to an Internal Investigation. The final decision to cancel an approved transfer rests with the appropriate Commissioner.

NOTE: This cancellation policy also applies to administrative transfers.

(b) To cancel requests for transfer, employees shall submit a memorandum, routed through their immediate commander for signature to UHS, UTS. The commander or designee shall forward the signed memorandum directly to UHS, UTS, via e-mail as noted in 4.b.(2)(a)6. (refer to Annex E).

1 Memorandums shall contain the following: name of employee, ID number, rank, present assigned location, and location(s) to be cancelled.

2 The UHS, UTS, shall acknowledge cancellation through the employee's immediate commander or designee, via e-mail.

(c) A transfer resulting from a CHP 220 shall not cancel STD. 678 requests on file for administrative transfers.

(5) Amendments.

(a) An employee desiring to amend a transfer request already submitted, shall submit a CHP 220 through the same channels used for an original request. The Comm-Net messages or other communications (such as faxes) requesting amendments to a transfer request, shall not be accepted in lieu of an e-mailed CHP 220.

(b) Amendments are not necessary when employees are reassigned as a result of a reorganization in the Department. Requests on file for other locations shall remain active unless cancelled by the employee.

OFFICE OF THE COMMISSIONER

ANNEXES A, B, C, D, E, F

OPI: 094

ANNEX A

DEFINITIONS

1. Employee. For the purpose of this GO, the term “employee” means a uniformed member of the Department.
2. Expenses. The approval of expenses is outlined in HPM 11.1, Administrative Procedures Manual, Chapter 3, Relocation. Moves at the employee’s request, primarily for the benefit of the employee, are not reimbursed.
3. Staff Positions. Staff positions are assigned to field Divisions and headquarters only. They require written and oral communication skills for the preparation of staff studies and involve administrative duties; development of projects and programs; interpretation of laws, rules, and governmental regulations; and performance of other duties which may be assigned.
4. Transfers. Transfers may be either administrative or voluntary.
 - a. Administrative Transfers occur when an individual is transferred by management discretion.
 - b. Voluntary Transfers occur when individuals are transferred at their request to a location of their choice.

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ANNEX C

BILINGUAL STAFFING

Section 7292 GC requires state agencies employ a sufficient number of qualified bilingual persons in public contact positions to ensure provision of information and services to the public in the language of non-English-speaking persons.

In order to comply with the intent of the GC, commanders shall implement procedures to deploy bilingual employees of the necessary language fluency in public contact positions that shall ensure this provision of services. In identifying the areas of greatest need and deploying bilingual employees most efficiently, the biennial survey data (Weekly Operation Summary forms) should be referenced and retained.

The Department has adopted the following criteria to meet bilingual staffing requirements.

1. **BILINGUAL STAFFING.**

- a. When any operation within a command (e.g., field, office, communications center, CVEF, platform scales) experiences a minimum of 2.5 percent contact rate with the non- or limited-English-speaking public, the operation shall be evaluated by the OEE0 to determine whether or not bilingual staffing is required.
- b. When it has been determined bilingual staffing is appropriate, the bilingual staffing level shall normally be derived by multiplying the number of public contact positions in the specific operation (e.g., field, office, communications center, CVEF, platform scales) by the percent of public contacts experienced by that operation. If the resulting number is less than one full position, and the contact rate is less than 5 percent, bilingual positions shall not be designated (see example #1 below).

Example #1: A command's office operation which has 10 employees in public contact positions, and experiences a 3.3 percent contact rate with Spanish-speaking persons, would not be designated a bilingual position for "Office."

$$10 \times 3.3\% = 0.3 \text{ position}$$

The number 0.3 is less than 1 full position.

ANNEX C

BILINGUAL STAFFING (*continued*)

- c. When it has been determined any operation experiences a 5 percent contact rate (or higher) with the non- or limited-English-speaking public, a minimum of one bilingual position shall be allocated to comply with legal requirements (see example #2 below).

Example #2: A command's office operation which has 5 employees in public contact positions, and experiences a 9.1 percent contact rate with Spanish-speaking persons, would be designated a minimum of 1 bilingual position for Office.

$$5 \times 9.1\% = 0.5 \text{ position}$$

The number 0.5 is less than 1 full position; however, the contact rate (9.1 percent) is above the 5 percent criteria established by Section 7296.2 GC.

When the resulting number is 1.5 positions or more, allocation of bilingual positions shall be determined by rounding-up to the next whole number.

For example, a command's field operation which has 25 employees in public contact positions and experiences a 6.0 percent contact rate with Spanish-speaking persons would be designated 2 bilingual positions for "Field."

$$25 \times 6.0\% = 1.5 \text{ or } 2 \text{ positions}$$

Conversely, a command's communications center operation which has 11 employees in public contact positions and experiences a 12.3 percent contact rate with Spanish-speaking persons would be designated one bilingual position for "Communications Center."

$$11 \times 12.3\% = 1.4 \text{ or } 1 \text{ position}$$

ANNEX C

BILINGUAL STAFFING (*continued*)

- d. Exceptions to the bilingual staffing formula stated previously shall be made by the OEE0 when special conditions exist.
- e. Consistent with available openings, minimum bilingual staffing levels shall be met (1) by voluntary transfer of officers and nonuniformed employees possessing bilingual skills regardless of seniority; or (2) administratively, through Academy assignment, reinstatement, or transfer of a new hire.

2. **CURRENT STAFFING LEVELS.**

- a. In order to comply with GC provisions, a public contact language survey is completed biennially to determine:
 - (1) The number of public contact positions requiring bilingual skills in each local office.
 - (2) The number of bilingual employees in public contact positions and the languages they speak, other than English.
 - (3) The percentage of non-English-speaking people served by each local office, broken down by native language.
 - (4) The increase/decrease of bilingual services positions required in each local office.
- b. The commands outlined on OEE0's CHP Intranet site are certified in Spanish unless otherwise noted.

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ANNEX D

SAMPLE MEMORANDUM CONFIRMING HEADQUARTERS/FIELD DIVISION ASSIGNMENT

State of California

Transportation Agency

Memorandum

Date: December 17, 2022

To: John Smith, ID #12346

From: DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

File No.: 097.123456.Smith

Subject: *(Headquarters Division)* Assignment

This will confirm our verbal agreement concerning your assignment to *(location name)* effective *(date)*. The duty statement describing your assignment is attached.

As agreed, your assignment is expected to be for a period of *(length of assignment)*. However, it may be extended or terminated early, according to the needs of the Department.

At the conclusion of your assignment, you will be reassigned to a field command according to the guidelines outlined in General Order (GO) 10.7. Field and Headquarters Assignments and Transfers Uniformed Employees.

These conditions of assignment are consistent with the provisions of GO 10.7 and they are reiterated here so that you will be aware of these particular conditions in accepting transfer and assignment to *(Headquarters Division)*.

It is a pleasure to welcome you to *(Headquarters/Division)*. It is hoped that this assignment will prove to be a rewarding and successful experience in your career.

Chief/Commander
Division or Section

Attachment

Safety, Service, and Security
CHP 51 (Rev. 06/2013) CPI 076



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ANNEX E

**SAMPLE MEMORANDUM
CHP 220, REQUEST FOR UNIFORMED TRANSFER, CANCELLATION**

State of California

Transportation Agency

M e m o r a n d u m

Date: September 28, 2023

To: Uniformed Hiring Section, Uniformed Transfers/Promotions Services

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
John Smith, ID#00000

File No.: 135.00000

Subject: CANCELLATION OF CHP 220 TRANSFER REQUEST

I respectfully request my current CHP 220, Request for Uniformed Transfer, be cancelled.

Name: John D. Smith
Rank: Officer
ID number: 00000
Present assigned location: Redding Area (135)

Location(s) to be cancelled:

Red Bluff (130)
Dunsmuir Grade CVEF (147)
Yreka (145), including Resident Posts
Chester Resident Post (140)

Thank you,

John D. Smith ID #00000
Officer

I concur with the above memorandum. _____ Date: _____
R. J. JONES, Captain

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ANNEX F
SAMPLE MEMORANDUM
PERSONNEL CHANGE AT RESIDENT POST

State of California

Transportation Agency

M e m o r a n d u m

Date: September 1, 2023

To: Uniformed Hiring Section, Uniformed Transfers/Promotions Services

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
San Geronio Pass Area

File No.: 655.11111

Subject: PERSONNEL CHANGE AT IDYLLWILD RESIDENT POST

This memorandum is to confirm that on September 1, 2023, Officer J. Smith, ID 00000, was assigned to the Idyllwild Resident Post to replace Officer C. Brown, ID 22222. Officer Brown retired on August 31, 2023. No expenses were incurred as a result of this intra-Area transfer.

I am requesting this memorandum be forwarded, through channels, to the Selection Standards and Examinations Section, Uniformed Transfers, to update assignments of uniformed personnel to the San Geronio Pass Area and the Idyllwild Resident Post.

Thank you,

Captain/Commander

Date

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