



**DEPARTMENT OF CORRECTIONS
Human Resources**



Subject:	PERS Police Officer Designation	DOC Policy: 20.3.4
Supersedes:	DOC Policy 2.3.4, "PERS Police Officer Designation," dated 1/1/01	
Applicability:	All employees of the Department of Corrections, excluding contractors and volunteers	
Reference:	ORS 238.005(16)	

I. PURPOSE

To establish a uniform and consistent basis for designating employees as police officer under the provisions of ORS 238.005. The department classifies personnel subject to the Public Employees Retirement System (PERS) as "police officer" or "general service" based upon the criteria in the statute and this policy, unless they are otherwise excluded by law.

II. POLICY

To designate as police officer those employees of the Department of Corrections who meet the criteria set forth in the statute.

- A. Eligibility Criteria: If the position/incumbent meets at least one of the following criteria, the incumbent shall be entered into or maintained in the PERS under the designation of police officer:
1. Employees of institutions defined in ORS 421.005 as Department of Corrections institutions whose duties, as assigned by the Director, include the custody of persons committed to the custody of or transferred to the Department of Corrections. ORS 238.005(16)(a)
 2. An employee who for seven consecutive years has been classified as a police officer as defined by ORS 238.005(16), who is employed or transferred by the Department of Corrections to fill a position designated by the Director as being eligible for police officer status. ORS 238.005(16)(o)
 3. An employee of the Department of Corrections classified as a police officer on or prior to July 27, 1989, whether or not that classification was authorized by law, so long as the employee remains in the position held on July 27, 1989. ORS 238.005(16)(p)

4. The Director of the Department of Corrections. ORS
238.005(16)(n)

- B. The Personnel Records office maintains a master list of positions designated as police officer. As employees are appointed to these positions, the employees will be entered into PERS as police officer.
- C. As positions are established or reclassified, or as duties are changed, the supervisor will review the duties, in consultation with the Human Resources Consultant, to determine appropriate status under PERS. If the duties warrant changing the designation under PERS, the supervisor shall recommend such change to the appointing authority. If the appointing authority concurs, he/she will forward the recommendation to the Assistant Director, Human Resources, who will make a recommendation to the Director.
- D. When an employee who is classified as police officer for seven consecutive years is transferred or as assigned to a position that is not designated as police officer under the statute, the employee may request in writing continued designation as police officer. The request shall be submitted to the Assistant Director, Human Resources, who will make a recommendation to the Director.
- E. An employee on temporary job rotation from a position designated as police officer to a position designated as general service shall retain the police officer designation for the duration of the assignment. An employee on temporary job rotation from a position designated as general service to a position designated as police officer, shall be classified as police officer for the duration of the assignment (see DOC Policy 20.5.5).
- F. The Director shall make the final determination on classification status under the PERS.

III. POLICY CLARIFICATION

- A. Custody is defined as the assigned responsibility for security or security tasks in a department institution. Security tasks include, for example, the charge and control of inmates, the responsibility to personally handle inmate incidents in the employee's immediate work area, to prevent escapes through proper control of keys, tools and contraband, and to document unusual incidents as they occur. Custody responsibilities shall be assigned in writing in the employee's position description. The employee shall be trained in custody procedures, shall be subject to emergency recall and assignment, and shall be held accountable to perform custody responsibilities when the occasion demands.

- B. Institution is defined as those Department of Corrections facilities used for the incarceration of persons sentenced to the custody of the Department of Corrections, and includes the satellites, camps or branches of those facilities (ORS 421.005).
- C. Employee of institution is defined as:
1. Any employee who is assigned to work on a regular basis inside an institution or on institution grounds; or
 2. Any employee who is assigned to work at the Central Distribution Center and has custody of inmates as defined in this policy; or
 3. Any employee who is charged with the physical control of inmates on or off of institution property. Supervision of work does not constitute physical control of inmates.

IV. IMPLEMENTATION

This policy will be adopted immediately without further modification.