
POLICY TRANSMITTAL NO. 11-20	DATE: JUNE 15, 2011
HUMAN RESOURCES MANAGEMENT DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF INTERGOVERNMENTAL RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OKDHS:2-1-9 through 2-1-12; 2-1-150 through 2-1-153; 2-1-155; and 2-1-158 through 2-1-160.

EXPLANATION: OKDHS:2-1-9 through OKDHS:2-1-11 are revised to require the PeopleSoft number and an additional statement of prior discipline.

OKDHS:2-1-12 is revised to require the PeopleSoft number.

OKDHS:2-1-150 is revised for minor clarification.

OKDHS:2-1-151, OKDHS:2-1-152, and OKDHS:2-1-155 are revised to reflect current form number.

OKDHS:2-1-153 is revised to reflect form number, telephone number, and zip code changes.

OKDHS:2-1-158 and OKDHS:2-1-159 are revised to reflect current form number and clarify grievance filing procedures.

OKDHS:2-1-160 is revised to reflect current form number and reference the applicable Merit Rule.

Original signed on 6-10-11

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WF # 11-H (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following an "OKDHS" number, such as personnel policy at OKDHS:2-1 and personnel rules at OAC 340:2-1. The "340" is the Title number that designates OKDHS as the rulemaking agency; the "2" specifies the Chapter number; and the "1" specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, OKDHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, OKDHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at 405-521-4326.

REMOVE

INSERT

OKDHS:2-1-9	OKDHS:2-1-9, pages 1-2, revised 6-15-11
OKDHS:2-1-10	OKDHS:2-1-10, pages 1-3, revised 6-15-11
OKDHS:2-1-11	OKDHS:2-1-11, pages 1-4, revised 6-15-11
OKDHS:2-1-12	OKDHS:2-1-12, 1 page only, revised 6-15-11
OKDHS:2-1-150	OKDHS:2-1-150, 1 page only, revised 6-15-11
OKDHSD:2-1-151	OKDHS:2-1-151, 1 page only, revised 6-15-15
OKDHS:2-1-152	OKDHS:2-1-152, pages 1-2, revised 6-15-11
OKDHS:2-1-153	OKDHS:2-1-153, pages 1-2, revised 6-15-11
OKDHS:2-1-155	OKDHS:2-1-155, pages 1-2, revised 6-15-11
OKDHS:2-1-158	OKDHS:2-1-158, 1 page only, revised 6-15-11
OKDHS:2-1-159	OKDHS:2-1-159, 1 page only, revised 6-15-11
OKDHS:2-1-160	OKDHS:2-1-160, pages 1-2, revised 6-15-11

OKDHS:2-1-9. Written reprimand

Revised 6-15-11

(a) **Purpose.** A written reprimand is used to correct problems not resolved by oral reprimand or for more serious performance or behavioral problems that warrant beginning at the written reprimand level. The immediate and reviewing supervisors sign the written reprimand.

(b) **Requirements.** A written reprimand includes:

- (1) the employee's name, title, job family descriptor, pay band, user identification (ID) number, PeopleSoft number, and division;
- (2) the date of the written reprimand;
- (3) a citation of the statute, policy, practice, or procedure violated;
- (4) grounds for written reprimand including a statement of the act or incident that is the cause of the written reprimand, and evidence supporting the disciplinary action. Witness statements and investigative reports are listed in the written reprimand and provided the employee under separate cover;
- (5) a corrective action plan per OKDHS:2-1-7(e);
- (6) a summary of prior discipline, or a statement that the employee has no prior discipline;
- (7) a statement that continued violations will result in suspension without pay, involuntary demotion, or discharge;
- (8) a notice that the employee has a right to submit a written response within five working days and that the response will be attached to the written reprimand and included in the employee's personnel file;
- (9) a notice of the employee's right to grieve the written reprimand in accordance with the Oklahoma Department of Human Services (OKDHS) grievance regulations; and
- (10) signature of the employee's immediate and reviewing supervisors.

(c) **Distribution.** The local administrator provides a copy of the written reprimand and response to the:

- (1) employee;
- (2) Human Resources Management Division (HRMD) personnel file; and
- (3) corrective discipline manager.

OKDHS:2-1-10. Suspension without pay and involuntary demotionRevised 6-15-11

(a) **Purpose.** A suspension without pay or involuntary demotion is taken when other forms of discipline are unsuccessful or for serious performance or behavior problems. The notice of proposed suspension without pay or involuntary demotion is issued only by a chief officer, division director, or designee. For purposes of this Section, one day equals eight working hours. A suspension without pay can not exceed 60 calendar days or 480 hours in any 12-month period.

(b) **Notice.** Notice of the proposed and final action is given by personal service or certified mail, restricted delivery. Notice of proposed suspension without pay or involuntary demotion includes:

(1) the employee's name, title, job, family descriptor, pay band, user identification (ID) number, PeopleSoft number, and division;

(2) the date of the notice;

(3) the number of proposed hours or days of suspension without pay or the description of the proposed position of demotion;

(4) a citation of the statute, policy, practice, or procedure violated;

(5) grounds for suspension without pay or demotion, including a statement of the act or incident that is the cause for the suspension without pay or demotion;

(6) the evidence supporting the proposed action. Witness statements and investigative reports are listed in the proposed suspension without pay or involuntary demotion and provided the employee under separate cover;

(7) a summary of prior discipline, or a statement that the employee has no prior discipline; and

(8) a notice of the employee's right to submit a written response within five working days.

(c) **Final action.** Within ten working days after the employee's response deadline, the employee is provided written notice of the final action. The chief officer, division director, or designee considers the notice, the employee's response, the employee's performance evaluation, and other relevant issues in arriving at the final action. The

notice of final action resulting in a suspension without pay or involuntary demotion includes:

(1) the employee's name, title, job family descriptor, pay band, user ID number, PeopleSoft number, and division;

(2) a statement that the action is being taken pursuant to Section 840-6.5 (C) of Title 74 of the Oklahoma Statutes and Merit Rule OAC 455:10-11-15;

(3) the date and specific final action taken;

(4) the length and dates of suspension without pay or the position of demotion;

(5) a citation of the statute, policy, practice or procedure violated;

(6) grounds for suspension without pay or involuntary demotion, including a statement of the act or incident that is the cause for the suspension without pay or involuntary demotion;

(7) a summary of prior discipline, or a statement that the employee has no prior discipline;

(8) the consideration given to the employee's response;

(9) a corrective action plan;

(10) notice of the employee's right to grieve the suspension without pay or involuntary demotion in accordance with the Oklahoma Department of Human Services (OKDHS) grievance regulations; and

(11) notice of the employee's right to file an appeal to the Oklahoma Merit Protection Commission (MPC); address of the MPC; the MPC filing time limit of 20 calendar days from date employee receives notice of the final action; and a copy of the MPC petition for appeal form.

(d) **Distribution.** The local administrator provides a copy of the:

(1) notice of proposed suspension without pay or notice of involuntary demotion and a copy of the employee's response to the:

(A) employee;

(B) corrective discipline manager; and

(C) Legal Division; and

(2) final action of suspension without pay or final action of involuntary demotion to the:

(A) employee;

(B) Legal Division;

(C) corrective discipline manager;

(D) Human Resources Management Division (HRMD) personnel file; and

(E) Finance Division, Payroll Unit.

OKDHS:2-1-11. Discharge and pretermination hearing

Revised 6-15-11

(a) **Purpose.** An employee is discharged when his or her conduct or performance warrants. A permanent, classified employee is provided a pretermination hearing to provide information to determine whether the charges against the employee are true and support discharge. A pretermination hearing is not given to an employee terminated as part of a reduction-in-force. The notice of proposed discharge is issued only by a chief officer, division director, or designee.

(b) **Notice.** Notice of the proposed discharge, pretermination hearing, and final action is made by personal service or certified mail, restricted delivery. Pending completion of the notice and the pretermination hearing, an employee may be suspended with pay or temporarily reassigned as provided in policy. The notice must be provided to the employee at least seven working days before the pretermination hearing. Notice of proposed discharge includes:

- (1) the employee's name, title, job family descriptor, pay band, user identification (ID) number, PeopleSoft number, and division;
- (2) date of the notice;
- (3) a citation of the statute, policy, practice, or procedure violated;
- (4) grounds for discharge, including a statement of the act or incident that is the cause for the discharge;
- (5) the evidence supporting the proposed action. Witness statements and investigative reports are listed in the proposed discharge and provided the employee under separate cover;
- (6) the certificate of prior disciplinary action, or a statement that the employee has no prior discipline;
- (7) a notice of the employee's right to submit a written response within five working days;
- (8) a statement of the employee's right to be represented at the pretermination hearing by an attorney or other person of choice; and
- (9) the date, time, and location of the pretermination hearing.

(c) **Certificate of prior disciplinary action.** The chief officer, division director, or designee ensures a certificate of prior disciplinary action is filed in the employee's official Human Resources Management Division (HRMD) personnel file at least three calendar days before the hearing. The certificate lists the progressive disciplinary actions taken against the employee pursuant to OKDHS:2-1-7(b) and certifies that all mandatory progressive disciplinary actions have been taken.

(d) **Pretermination hearing.** The pretermination hearing provides information from which a determination is made as to whether reasonable grounds exist to believe that the charges against the employee are true and whether the grounds support the proposed discharge.

(1) Pretermination hearings are not full evidentiary hearings and formal rules of evidence do not apply.

(2) The pretermination hearing officer establishes and advises the parties of the procedure for conducting the pretermination hearing and allows each party or his or her representative to make a brief statement at the opening or closing of the proceedings, or both. Statements are limited to the party's position and a summary of the evidence supporting that position.

(3) Argument is not evidence and the pretermination hearing officer may limit or exclude argument.

(4) The pretermination hearing officer may also limit or exclude non-relevant witnesses, testimony, or documentation.

(5) Parties and witnesses are not permitted to read prepared testimony into the record or cross-examine any witness.

(6) Parties may request that the pretermination hearing officer ask specific questions relevant to specific issues.

(7) The pretermination hearing officer may designate cases for telephonic hearing.

(8) A pretermination hearing may be continued or rescheduled by the Oklahoma Department of Human Services (OKDHS) for good cause.

(9) Requests for a pretermination hearing continuance are made to the OKDHS Legal Division not less than two working days prior to the hearing.

(10) The pretermination hearing is recorded in its entirety by audiotape. The employee is provided a copy of the tape within 14 days of request and filing an appeal with the Oklahoma Merit Protection Commission (MPC).

(e) **Legal review.** When a recommendation for discharge is made, the Legal Division reviews the audiotapes of the pretermination hearing and all evidence for legal sufficiency.

(f) **Final action.** Within ten working days of the pretermination hearing, the chief officer, division director, or designee notifies the employee of the final action. The pretermination hearing officer's decision is included with the final action. The chief officer, division director, or designee considers the employee's response, the pretermination hearing decision, the employee's performance evaluation, and other relevant issues to the action. The notice of final action of discharge includes:

(1) the employee's name, title, job family descriptor, pay band, user ID number, PeopleSoft number, and division;

(2) a statement that the action is taken pursuant to Section 840-6.5(C) of Title 74 of the Oklahoma Statutes and Merit Rule OAC 455:10-11-17;

(3) the date, the specific final action taken, and, if discharge, the effective date of discharge;

(4) a citation of the statute, policy, practice, or procedure violated;

(5) grounds for discharge including a statement of the act or incident that is the cause for the discharge;

(6) a summary of prior discipline, or a statement the employee has no prior discipline;

(7) the consideration given the employee's response;

(8) the pretermination hearing officer's decision;

(9) a notice of the employee's right to grieve the discharge in accordance with the OKDHS grievance regulations; and

(10) a notice of the employee's right to file an appeal to the MPC; the address of the MPC; the MPC filing time limit of 20 calendar days from date employee receives notice of the final action; and a copy of the MPC petition for appeal form.

(g) **Distribution.** The local administrator provides a copy of the:

(1) notice of proposed discharge and response to the:

- (A) employee;
- (B) Legal Division; and
- (C) corrective discipline manager; and

(2) final action of discharge to the:

- (A) employee;
- (B) Legal Division;
- (C) corrective discipline manager;
- (D) HRMD personnel file; and
- (E) Finance Division, Payroll Unit.

OKDHS:2-1-12. Probationary and unclassified employees

Revised 6-15-11

(a) **Purpose.** Probationary and unclassified employees are employees at-will and may be discharged by a chief officer, division director, or designee without cause at any time. Progressive discipline is not generally afforded a probationary employee and disciplinary issues are normally addressed in evaluation of the employee's performance. Other disciplinary actions, including oral reprimand, written reprimand, and suspension without pay, may be taken against probationary or unclassified employees at the discretion of the local administrator. Citation or use of the procedures in OKDHS:2-1-7 through OKDHS:2-1-11 is not used in administering discipline to a probationary or unclassified employee. This Section contains the only provisions that apply to probationary or unclassified employees.

(b) **Notice of discharge.** Probationary and unclassified employees are terminated by delivery of a written notice informing the employee that he or she is discharged and the effective date. The notice of discharge is made by personal service or certified mail, restricted delivery. The notice includes:

- (1) the employee's name, title, job family descriptor, pay band, user identification (ID) number, PeopleSoft number, and division;
- (2) a notice of the employee's right to grieve the discharge in accordance with the grievance regulations; and
- (3) the effective date of discharge.

(c) **Distribution.** The local administrator provides a copy of the Notice of Discharge to the:

- (1) employee;
- (2) Legal Division;
- (3) corrective discipline manager;
- (4) Human Resources Management Division (HRMD) personnel file; and
- (5) Oklahoma Department of Human Services (OKDHS) Finance Division, Payroll Unit.

OKDHS:2-1-150. General provisions and scope of grievance procedure

Revised 6-15-11

(a) **General.** As prescribed by the Oklahoma Merit Protection Commission [Merit Rule OAC 455:10-19 et seq.], the Oklahoma Department of Human Services (OKDHS) Grievance Program procedures contain minimum requirements which:

- (1) encourage resolution of disputes quickly, informally, and at the lowest possible level;
- (2) require prompt resolution of grievances within established time periods;
- (3) guarantee that an employee has the right to be represented by a person of his or her choice at each step of the procedure, except the initial informal discussion with the immediate supervisor; and
- (4) reflect the name, address, and telephone number of the person(s) designated to receive and process formal grievances.

(b) **Scope.** The OKDHS Grievance Program is available to all probationary and permanent classified and unclassified employees. Temporary employees are excluded.

(c) **Retaliation.**

- (1) An employee is not disciplined or otherwise prejudiced in his or her employment for exercising his or her rights under the OKDHS Grievance Program.
- (2) An employee who believes retaliation has occurred may file a petition for appeal with the Oklahoma Merit Protection Commission.

OKDHS:2-1-151. Definitions

Revised 6-15-11

The words or terms when used in this Part shall have the following meanings, unless the context clearly indicates otherwise:

"Accept" means a determination by the Oklahoma Department of Human Services (OKDHS) grievance manager that an issue(s) meets jurisdictional requirements.

"Deny" means to refuse to grant a remedy requested, to determine an issue to be without merit, or to end a grievance without further consideration.

"Formal grievance" means filing Form 11PE011E, OKDHS Grievance Form, with supporting documentary evidence, with the OKDHS grievance manager.

"Grant" means to find an issue to have merit and to give an appropriate remedy.

"Grievance" means a request for relief in an employment matter made by an employee, or a group of employees, which affects them and which is subject to control of the OKDHS Director.

"Jurisdiction" means the authority to decide an issue within the grievance procedure. The time limit to file a grievance, an employee's eligibility to use the grievance procedure, and the issue raised are general factors in making this determination.

"Reject" means a determination by the OKDHS grievance manager that a grievance or an issue does not meet jurisdictional requirements.

"Remedy" means the corrective action(s) sought by an employee or offered by a decision maker or the OKDHS Director.

"Toll" means to temporarily stop or suspend applicable time limits.

OKDHS:2-1-152. Grievance procedure steps

Revised 6-15-11

(a) **Mediation as an alternative to the grievance process.** Employees, supervisors, and persons with authority to resolve the dispute are encouraged to use mediation as a means of resolution at any step of the grievance process. The grievance time limits are tolled when a request is made for mediation. See OKDHS:2-1-168 through OKDHS:2-1-169 for information on the Mediation Program.

(b) Step one - informal discussion.

(1) The purpose of the informal discussion is to provide the employee and the immediate supervisor, reviewing supervisor, or other person with authority to resolve the dispute the opportunity to address and resolve concerns and complaints at the lowest possible level. The effort to resolve disputes at this level may include, but is not limited to, the use of mediation. [OKDHS:2-1-168 through OKDHS:2-1-169]

(2) An employee who has a grievable issue promptly brings the dispute to the attention of the immediate supervisor, reviewing supervisor, or other person who has authority to resolve the dispute and all parties strive to resolve the dispute.

(3) If the supervisor is unable to resolve the dispute because it is not within his or her control or authority, the supervisor attempts to determine who can resolve the dispute and gives that person an opportunity to resolve the dispute informally or advises the grievant to proceed with filing the formal grievance, Form 11PE011E, OKDHS Grievance Form.

(c) Step two - formal grievance.

(1) When filing a formal grievance, the employee documents on Form 11PE011E, all efforts to resolve the dispute at the informal level, including who the employee discussed the grievance with prior to filing the formal grievance, when the discussion(s) occurred, and the results. Failure to attempt informal resolution or failure to document the attempt could result in the formal grievance being rejected by the Oklahoma Department of Human Services (OKDHS) grievance manager.

(2) When the dispute is not resolved through the informal discussion, the employee may file a formal grievance within the time specified in OKDHS:2-1-153(b).

(3) The OKDHS grievance manager refers accepted grievances to a step two decision maker who has 20 calendar days to issue a written final decision to the

grievant. Upon written request of the step two decision maker, for good cause shown, the OKDHS grievance manager has the discretion to extend this time limit.

(4) A face-to-face meeting or telephone conversation is required between the resolution decision maker and the grievant.

(d) **Decision.** The resolution decision:

(1) addresses all the issues raised in the formal grievance with a decision to grant or deny each issue and remedy;

(2) is made in writing to the employee filing the formal grievance, or if a group grievance, to the spokesperson; and

(3) is delivered personally or by mail.

(e) **End of grievance procedure.** The grievance procedure ends when:

(1) the employee withdraws the grievance in writing or by electronic mail;

(2) an OKDHS official with the authority to obligate OKDHS accepts in writing the resolution proposed by the grievant on Form 11PE011E;

(3) resolution is reached at any step during the process;

(4) the step two decision maker issues a final decision which addresses all issues raised in the grievance;

(5) full relief has been granted or offered the grievant and further concessions are unreasonable. For the purpose of this Section, full relief is defined as the remedy the grievant could reasonably expect to receive if the grievance were to be granted;

(6) the grievance was resolved during mediation; or

(7) the grievant has not provided a current, valid mailing address.

OKDHS:2-1-153. Grievance time framesRevised 6-15-11

(a) **Time.** For the purposes of the Oklahoma Department of Human Services (OKDHS) Grievance Program procedure, time is calculated in terms of calendar days. If the last day of the count is a Saturday, Sunday, or legal holiday as proclaimed by the Governor, the period continues to the next business day.

(b) Filing a formal grievance.

(1) A formal grievance, Form 11PE011E, OKDHS Grievance Form, must be filed within 20 calendar days of the date:

(A) of the act or incident; or

(B) the employee becomes aware of, or with reasonable effort, should have become aware of a grievable issue.

(2) The OKDHS grievance manager may extend the time limit for filing a formal grievance if the employee:

(A) shows that he or she could not otherwise timely file;

(B) provides evidence that he or she is making a good faith effort to resolve the dispute informally; or

(C) shows other good cause.

(3) Form 11PE011E with supporting documentary evidence, is filed by mail or in person with the OKDHS grievance manager or the assistant OKDHS grievance manager.

(A) The mailing address is P.O. Box 25352, Oklahoma City, OK 73125-9975.

(B) The physical location is the first floor of the Sequoyah Building.

(C) The phone number is 405-522-2089 or 405-522-0992.

(4) The grievant is responsible for providing copies of the grievance to the immediate supervisor, the local office or facility administrator, and any other person named as a party in the grievance.

(c) **Resolution.** A formal grievance is resolved within 45 days after the filing of the formal grievance, Form 11PE011E. The OKDHS Director has delegated to the OKDHS grievance manager the authority to extend the resolution time frames.

(1) The OKDHS grievance manager may extend the resolution time up to an additional 15 days for good cause. The extension is made in writing to the grievant before the expiration of the 45 calendar day resolution time and includes the reason for the extension.

(2) The grievant and the OKDHS grievance manager may mutually extend the resolution time up to an additional 30 calendar days for good cause. Any extension is agreed to in writing or via electronic mail. Written notice is given to the grievant which includes reasons for the extension.

(3) In no case does the resolution time of a formal grievance exceed 90 calendar days.

OKDHS:2-1-155. Grievance management responsibilities

Revised 6-15-11

(a) **Grievance manager responsibility.** The Oklahoma Department of Human Services (OKDHS) grievance manager is designated by the OKDHS Director to receive and process formal grievances using Form 11PE011E, OKDHS Grievance Form. The OKDHS grievance manager:

- (1) provides advice, assistance, and technical direction such as the Employee Grievance Handbook and the Employee Grievance Procedure E-training to the OKDHS Director, supervisors, and employees on the grievance resolution procedure;
- (2) reviews formal grievances and accepts or rejects them;
- (3) ensures time limits that apply to the processing and resolution of formal grievances are met;
- (4) facilitates the prompt, equitable, and timely resolution of the formal grievance at the lowest possible level;
- (5) ensures the formal grievance is reviewed and addressed by a person with authority to resolve the dispute;
- (6) ensures formal grievances are filed in accordance with the OKDHS grievance regulations and instructions for Form 11PE011E; and
- (7) in consultation with the county director or office administrator, selects and provides periodic training to local grievance facilitators to provide technical assistance and information on the OKDHS grievance process to employees. Local grievance facilitators do not accept grievances for filing and do not participate in the resolution of grievance disputes.

(b) **Supervisor responsibility.** Supervisors:

- (1) make available to employees either a written copy of the OKDHS Grievance Program regulations or access to the online policy;
- (2) are aware and informed of the name of the OKDHS grievance manager; and
- (3) informally discuss, address, and resolve disputes brought to their attention, when

possible, at the lowest possible level.

(c) Employee responsibility.

(1) An employee who has reason to believe his or her employment has been directly affected by unfair treatment, unsafe working conditions, or erroneous interpretation or application of OKDHS policy, procedure, Merit rule, or law, has a duty and responsibility to attempt to resolve the dispute informally. Thereafter, the employee has a right to file a formal grievance using Form 11PE011E, with the OKDHS grievance manager.

(2) An employee filing a formal grievance has a duty and responsibility to provide accurate, timely information to support his or her assertions and to make a good faith effort to resolve the dispute.

(3) An employee refrains from idle talk and treats information about a formal grievance with discretion.

OKDHS:2-1-158. Grievance preparation and processing

(a) An employee may request approval from his or her supervisor for necessary and reasonable absence from work to gather information in preparation to file and process a formal grievance using Form 11PE011E, OKDHS Grievance Form.

(1) The request for the time needed away from work is made in advance.

(2) The supervisor may approve such absence if the time away will not cause undue hardship or upset any employee's workplace operation.

(3) Any approved absence does not result in a loss of pay or leave.

(4) An employee using the Oklahoma Department of Human Services (OKDHS) Grievance Program procedures is give reasonable access to OKDHS equipment, such as copiers, facsimile machines, and telephones to process a grievance.

(b) Approved leave must be taken for absences to file a formal grievance with the OKDHS grievance manager.

OKDHS:2-1-159. Leave and travelRevised 6-15-11

(a) An employee who has filed a formal grievance using Form 11PE011E, OKDHS Grievance Form, or employees whose attendance is required at meetings held to decide the grievance is not charged leave. The employee gives prior notice to the supervisor concerning time away from his or her work location.

(b) Approved travel and other expenses incurred to resolve a formal grievance are reimbursed by the Oklahoma Department of Human Services (OKDHS) per OAC 340:2-11-119.

OKDHS:2-1-160. Group grievancesRevised 6-15-11

(a) Employees may file a formal grievance, Form 11PE011E, OKDHS Grievance Form, as a group, when the grievance issues and personal relief sought are the same or similar for each employee. Employees who file a group grievance forfeit their right to file individual grievances on the same complaint. The group:

(1) names a spokesperson who speaks for and acts on behalf of the group. The spokesperson is one of the employees of the group filing the formal grievance and signs Form 11PE011E;

(2) is entitled to have a representative per Merit Rule OAC 455:10-19-39 and 455:10-19-40(a); and

(3) submits a letter signed by all members of the group. The letter includes:

(A) the names of all of the group members;

(B) a statement of the group members' desire to file a group grievance;

(C) a statement the members understand that if they file a group grievance, they forfeit their rights to file individual grievances on the same issue(s);

(D) the name of the spokesperson chosen by the members;

(E) a statement that the group members want the spokesperson to act for them throughout the formal grievance process;

(F) if a representative is chosen, a statement that the representative is the choice of all group members; and

(G) a statement that each group member has read and understands the information in the letter and on Form 11PE011E.

(b) The Oklahoma Department of Human Services (OKDHS) grievance manager may consolidate formal grievances containing the same or similar issues filed by two or more employees when consolidation will produce a more efficient, economical, or timely processing and resolution of the grievances and will not adversely affect the interests of the grievants per Merit Rule OAC 455:10-19-40(b). Individuals included in a consolidated grievance retain the rights to speak and act in their own behalf and to

individual representation.

(c) The OKDHS grievance manager may join two or more formal grievances filed by the same employee when combining the grievances produces a more efficient, economical, or timely processing and resolution of the grievances and does not adversely affect the interests of the grievant per Merit Rule OAC 455:10-19-40(c).