
POLICY TRANSMITTAL NO. 10-27	DATE: MAY 5, 2010
HUMAN RESOURCES MANAGEMENT DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF INTERGOVERNMENTAL RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OKDHS:2-1, Table of Contents; and 2-1-33.1.

EXPLANATION: OKDHS:2-1-33.1 is a new regulation that provides internal procedures for Oklahoma Department of Human Services (OKDHS) employees on how services are delivered to the citizens of Oklahoma in the event of hazardous weather and temporary office closings due to imminent peril or other unsafe working conditions.

Original signed on 5-4-10

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WF # 09-DD (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

OKDHS:2-1, Table of Contents

INSERT

OKDHS:2-1, Table of Contents, pages 1-5,
revised 5-13-10

OKDHS:2-1-33.1, pages 1-6, issued 5-13-10

OKDHS:2 SUBCHAPTER 1. HUMAN RESOURCES MANAGEMENT DIVISION**PART 1. INTERNAL HUMAN RESOURCES**

- OKDHS:2-1-1. Intraagency transfer
- OKDHS:2-1-2. Detail to special duty
- OKDHS:2-1-3. Employee recognition
- OKDHS:2-1-4. Separation, classified or unclassified service
- OKDHS:2-1-5. Resignation - classified or unclassified service
- OKDHS:2-1-6. Interagency transfer
- OKDHS:2-1-6.1. Personnel reviews
- OKDHS:2-1-7. Discipline
- OKDHS:2-1-8. Oral reprimand
- OKDHS:2-1-9. Written reprimand
- OKDHS:2-1-10. Suspension without pay and involuntary demotion
- OKDHS:2-1-11. Discharge and pretermination hearing
- OKDHS:2-1-12. Probationary and unclassified employees
- OKDHS:2-1-13. Delegation of authority
- OKDHS:2-1-14. Delegation of authority **[REVOKED]**
- OKDHS:2-1-15. Procedure for formal disciplinary action (suspension without pay, involuntary demotion, or discharge) probationary employees in classified service) **[REVOKED]**
- OKDHS:2-1-15.1. Corrective discipline (unclassified) **[REVOKED]**
- OKDHS:2-1-16. Retirement (classified/unclassified/exempt service) **[AMENDED AND RENUMBERED TO DHS:2-11-102]**
- OKDHS:2-1-17. Employee performance management process (PMP), classified and unclassified
- OKDHS:2-1-18. General staff responsibilities
- OKDHS:2-1-19. Accountabilities with relative importance
- OKDHS:2-1-20. Time frames for opening Form OPM-111
- OKDHS:2-1-21. Procedures for opening Form OPM-111
- OKDHS:2-1-22. Mid-year review for Form OPM-111
- OKDHS:2-1-23. Time frames for closing Form OPM-111
- OKDHS:2-1-24. Procedures for closing Form OPM-111
- OKDHS:2-1-25. Rebuttal to performance evaluation
- OKDHS:2-1-26. Compensable time for Fair Labor Standards Act (FLSA) non-exempt employees **[AMENDED AND RENUMBERED TO OKDHS:2-1-31.1]**
- OKDHS:2-1-26.1. Fair Labor Standards Act (FLSA) compliance
- OKDHS:2-1-27. Procedures for overtime work by Fair Labor Standards Act (FLSA) non-exempt employees
- OKDHS:2-1-28. Workweeks and work periods
- OKDHS:2-1-29. Workweek adjustments

- OKDHS:2-1-30. Overtime compensation and record keeping
- OKDHS:2-1-31. Fair Labor Standards Act (FLSA) compliance [**AMENDED AND RENUMBERED TO OKDHS:2-1-26.1**]
- OKDHS:2-1-31.1. Compensable time for Fair Labor Standards Act (FLSA) non-exempt employees
- OKDHS:2-1-32. Attendance and leave - classified, unclassified and temporary employees
- OKDHS:2-1-33. Administrative leave
- OKDHS:2-1-33.1. Reduced services or temporary office closures
- OKDHS:2-1-34. Holidays [**AMENDED AND RENUMBERED TO DHS:2-11-96**]
- OKDHS:2-1-35. Annual leave
- OKDHS:2-1-36. Sick leave
- OKDHS:2-2-36.1. Organ donor leave
- OKDHS:2-1-37. Enforced leave
- OKDHS:2-1-38. Leave without pay
- OKDHS:2-1-39. Involuntary leave without pay (furlough)
- OKDHS:2-1-40. Leave for teachers employed less than 12 months per year
- OKDHS:2-1-41. Military leave
- OKDHS:2-1-42. Educational leave
- OKDHS:2-1-43. Organizational leave
- OKDHS:2-1-44. Planning activities associated with professional meetings, Department sponsored training, and conference and seminars
- OKDHS:2-1-45. Sponsored training
- OKDHS:2-1-46. Attendance in conference and seminars
- OKDHS:2-1-47. Family and medical leave
- OKDHS:2-1-48. Shared leave
- OKDHS:2-1-49. Employee time to vote
- OKDHS:2-1-61. Moving of household goods (classified/unclassified/exempt service)
- OKDHS:2-1-62. Legal defense of Department employees
- OKDHS:2-1-63. Replacement/reimbursement for eyeglasses or contact lens
- OKDHS:2-1-64. Registration, certification and licensure payments for Department employees

PART 2. EMPLOYEE BENEFITS

- OKDHS:2-1-65. Benefits and enrollment
- OKDHS:2-1-66. Option Period and allowable benefit election changes
- OKDHS:2-1-67. Insurance coordinator
- OKDHS:2-1-68. Appeals
- OKDHS:2-1-69. Confidentiality of insurance records
- OKDHS:2-1-70. Employee access to insurance records

OKDHS:2-1-71.	Eligibility for insurance
OKDHS:2-1-72.	Leave of absence
OKDHS:2-1-73.	Survivors
OKDHS:2-1-74.	Continued participation in health and dental coverage
OKDHS:2-1-75.	Retirement, regular
OKDHS:2-1-76.	Disability retirees
OKDHS:2-1-77.	Termination of coverage
OKDHS:2-1-78.	Consolidated Omnibus Budget Reconciliation Act (COBRA)
OKDHS:2-1-79.	Insurance benefits available [REVOKED]
OKDHS:2-1-80.	Provider network [REVOKED]
OKDHS:2-1-81.	Health Maintenance Organizations (HMO) [REVOKED]
OKDHS:2-1-82.	Cost containment for group insurance plan [REVOKED]
OKDHS:2-1-83.	Enrollment and change procedures [REVOKED]
OKDHS:2-1-84.	Waiver of participation [REVOKED]
OKDHS:2-1-85.	I.D. card [REVOKED]
OKDHS:2-1-86.	Evidence of insurability [REVOKED]
OKDHS:2-1-87.	How to prepare a change card [REVOKED]
OKDHS:2-1-88.	How to file a claim [REVOKED]
OKDHS:2-1-89.	Employee Assistance Program (EAP)
OKDHS:2-1-90.	Wellness Program

PART 3. RECRUITMENT, PLACEMENT, AND PROMOTION POLICY

OKDHS:2-1-95.	Appointments and changes in employee job family descriptor (JFD) and level or position that are not subject to the vacancy notice posting provisions
OKDHS:2-1-96.	Vacancy posting decision
OKDHS:2-1-97.	Promotional testing, classified service
OKDHS:2-1-98.	Office of Personnel Management (OPM) Certificate of Eligibles certificate action codes

PART 4. GRIEVANCE AND MEDIATION PROGRAMS

OKDHS:2-1-150.	General provisions and scope of grievance procedure
OKDHS:2-1-151.	Definitions
OKDHS:2-1-152.	Grievance procedure steps
OKDHS:2-1-153.	Grievance time frames
OKDHS:2-1-155.	Grievance management responsibilities
OKDHS:2-1-156.	Grievance records
OKDHS:2-1-157.	Employee representation
OKDHS:2-1-158.	Grievance preparation and processing
OKDHS:2-1-159.	Leave and travel

OKDHS:2-1-160.	Group grievances
OKDHS:2-1-161.	Grievance provisions
OKDHS:2-1-162.	Discrimination grievances [REVOKED]
OKDHS:2-1-163.	Filing an appeal after a formal grievance
OKDHS:2-1-163.1.	End of grievance procedure [REVOKED]
OKDHS:2-1-164.	Grievances alleging discrimination - Statement of policy [REVOKED]
OKDHS:2-1-165.	Grievances alleging discrimination or sexual harassment [REVOKED]
OKDHS:2-1-166.	General provisions [REVOKED]
OKDHS:2-1-168.	DHS Dispute Mediation Program (DMP)
OKDHS:2-1-169.	Procedure for mediation

PART 5. [RESERVED]

PART 6. [RESERVED]

PART 7. REDUCTION-IN-FORCE

OKDHS:2-1-201.	Purpose
OKDHS:2-1-202.	Definitions [REVOKED]
OKDHS:2-1-203.	Reduction-in-force applicability [REVOKED]
OKDHS:2-1-204.	[REVOKED]
OKDHS:2-1-205.	Displacement limits [REVOKED]
OKDHS:2-1-206.	[REVOKED]
OKDHS:2-1-207.	Abolishing positions and retaining positions [REVOKED]
OKDHS:2-1-208.	Order of employee removal [REVOKED]
OKDHS:2-1-209.	Calculation of retention points [REVOKED]
OKDHS:2-1-210.	Displacement opportunities [REVOKED]
OKDHS:2-1-211.	[REVOKED]
OKDHS:2-1-212.	Order of offers for displacement opportunities [REVOKED]
OKDHS:2-1-213.	Official notice of reduction-in-force [REVOKED]
OKDHS:2-1-214.	Written notice to employees [REVOKED]
OKDHS:2-1-215.	Required freeze on personnel transactions [REVOKED]
OKDHS:2-1-216.	Exercise of displacement rights [REVOKED]
OKDHS:2-1-217.	Employee separations [REVOKED]
OKDHS:2-1-218.	Recall rights [REVOKED]
OKDHS:2-1-219.	Priority consideration for reemployment [REVOKED]
OKDHS:2-1-220.	Equal Employment Opportunity (EEO) [REVOKED]
OKDHS:2-1-221.	Continuation of insurance upon separation by reduction-in-force

- [REVOKED]**
OKDHS:2-1-222. Appeal of reduction-in-force **[REVOKED]**
OKDHS:2-1-223. Severance option **[REVOKED]**

**PART 8. REDUCTION-IN-FORCE PLAN FOR UNCLASSIFIED EMPLOYEES OF
HISSOM MEMORIAL CENTER [REVOKED]**

- OKDHS:2-1-240. General Provisions **[REVOKED]**
OKDHS:2-1-241. Definitions **[REVOKED]**
OKDHS:2-1-242. Basic reduction-in-force plan **[REVOKED]**
OKDHS:2-1-243. Abolishing positions and retaining positions **[REVOKED]**
OKDHS:2-1-244. Displacement opportunities **[REVOKED]**
OKDHS:2-1-245. Official notice of reduction-in-force **[REVOKED]**
OKDHS:2-1-246. Written notice to employees **[REVOKED]**
OKDHS:2-1-247. Order of Separation **[REVOKED]**
OKDHS:2-1-248. Priority consideration for re-employment **[REVOKED]**
OKDHS:2-1-249. Appeal of reduction-in-force **[REVOKED]**

PART 9. TELECOMMUTING AND ALTERNATE WORK LOCATION

- OKDHS:2-1-301. Telecommuting

PART 11. EMPLOYEE BACKGROUND CHECKS

- OKDHS:2-1-320. National criminal history records check

OKDHS:2-1-33.1. Reduced services or temporary office closures

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(a) Absences due to hazardous weather conditions. Oklahoma Department of Human Services (OKDHS) is responsible for maintaining essential functions and client services regardless of weather conditions. During periods of hazardous weather, OKDHS may reduce services provided to the public and may authorize absences for its employees who are not designated as essential staff. See Merit Rules OAC 530:10-15-70 through 530:10-15-71 and Human Resources Management Division (HRMD) Web site, Frequently Asked Questions – Hazardous Weather, for additional details on hazardous weather procedures.

(1) Reduction of services due to hazardous weather conditions. Decisions concerning reduction of services are based on authorization received from the Oklahoma Department of Public Safety (DPS).

(A) Reduction of services in the Oklahoma City metropolitan area. Decisions concerning reduction of services due to hazardous weather conditions in the seven-county Oklahoma City metropolitan area, Canadian, Cleveland, Lincoln, Logan, McClain, Oklahoma, and Pottawatomie counties, are made by the DPS and announced by distribution of a memorandum to all state agencies by the Office of Personnel Management (OPM).

(B) Reduction of services outside the seven-county Oklahoma City metropolitan area. For OKDHS offices outside of the seven-county Oklahoma City metropolitan area, the Field Operations Division (FOD) director or designee is authorized to make decisions to reduce OKDHS services in human services centers (HSC) after consultation with the respective area director and county director.

(i) The FOD director:

(I) notifies the OKDHS Director and HRMD in writing of reduction of services outside the seven-county Oklahoma City metropolitan area; and

(II) requests that the OKDHS Office of Communications post notices of this announcement on OKDHS Web site.

(ii) To ensure that all OKDHS employees in the same town or county receive the same information from the FOD director regarding reduced services, the information is communicated by the county director to other OKDHS divisions

within the same county.

(iii) When an OKDHS office is located in the county courthouse and the courthouse is closed and the HSC remains open, employees whose duty station is at the courthouse go to the HSC to report for work.

(C) **Late arrivals to work or early departures from work.** Due to hazardous weather conditions, the OPM memorandum may authorize employees' delayed arrival to work or early departure from work.

(D) **OKDHS hot lines, institutions, shelters, and other residential care facilities.** Due to the nature of services provided by OKDHS hot lines, institutions, shelters, and other residential care facilities, their services are not reduced during hazardous weather.

(2) **Employees responsible for staffing essential OKDHS functions.** Division directors, with the approval of chief officers, make the designation of essential staff in advance of the effective date. Designation of essential staff must be in writing to all affected employees or workgroups.

(A) Employees responsible for staffing essential OKDHS functions during periods of reduced services because of hazardous weather conditions report to duty to maintain basic minimum services. Employees responsible for staffing essential OKDHS functions include:

(i) all employees of all institutions, shelters, group homes, hotlines, and other residential care facilities;

(ii) all supervisory employees for HSC and area offices, unless otherwise designated by the division director;

(iii) all OKDHS Executive Team members;

(iv) senior staff for state office locations, unless otherwise designated by the division director. Senior staff is defined as staff members reporting directly to a member of the OKDHS Executive Team; and

(v) other employees as designated in writing by the OKDHS Director, appropriate senior administrator, or division director. (Senior administrator is defined in OKDHS:2-1-3.) When designating other employees as essential staff, consideration is given to the:

(I) safety of staff including the difficulty and/or danger for certain staff to travel, drive, or walk in hazardous conditions; and

(II) knowledge, skills, and abilities required to provide basic services for OKDHS clients and without regard for the Fair Labor Standards Act (FLSA) exemption status of the employee. Examples of basic services may include, but are not limited to, responding to emergency situations, answering telephones, operating switchboards, sustaining reception duties, issuing emergency benefits and services, and issuing Electronic Benefit Transfer (EBT) cards for emergency food benefits.

(B) An essential employee may be authorized by his or her supervisor to work from home during periods of reduced services because of hazardous weather conditions provided the essential functions of the position can be performed from home and the authorization is made in writing prior to the event.

(C) In addition to staff designated as essential, office management may designate or remove the designation of essential staff with proper approval. For FOD, county directors request this approval from the area director. All other divisions request this approval from the appropriate division director or designee. This approval may be communicated as an administrative directive by e-mail or verbally if followed by written confirmation within 24 hours.

(3) Employees responsible for staffing conditionally essential OKDHS functions. Division directors with the approval of chief officers make the designation of conditionally essential staff in advance of the effective date. Designation of conditionally essential staff must be in writing to all affected employees or workgroups.

(A) Designation of conditionally essential staff include employees who are non-essential for all purposes except for activating events, at which time their status changes to essential.

(B) Conditionally essential staff are persons that must be available telephonically, but are not on duty until an activating event occurs. Examples of such conditionally essential staff include, but are not limited to a:

(i) payroll clerk is designated conditionally essential when reduced services fall on the date of payroll deadline; or

(ii) Child Welfare specialist, if notified that a child in his or her caseload requires the immediate services of the specialist, is designated as

conditionally essential for the time required to take care of the child's needs.

(4) Employees not responsible for staffing essential OKDHS functions.

Because the intent of Merit Rules OAC 530:10-15-70 and 530:10-15-71 is to protect the safety of the public and employees, all other employees not specifically identified in (a)(2) and (3) of this Section or designated to report for duty by their division director do not report for work during periods of reduced services during hazardous weather conditions.

(b) Temporary closings due to imminent peril or other unsafe working conditions.

Examples of reasons for temporarily closing an office, institution or residential care facility are: leaks of toxic fumes in buildings; life threatening damage to building structures; emergency operations that would be disrupted by the presence of the usual work force; or any other condition that poses a significant threat to the safety of the work force.

(1) Offices closed due to imminent peril or unsafe working conditions.

Requests to close an office are made by the office administrator to the appropriate senior administrator or division director who, in turn, requests approval from the OKDHS Director to close the office. In FOD HSC, county directors make the request to the area director who contacts the senior administrator who requests approval from the OKDHS Director to close the office.

(2) Institutions and residential care facilities closed due to imminent peril or unsafe working conditions.

Requests to close all or a portion of an institution or residential care facility are made by the institutional superintendent or facility administrator to the appropriate senior administrator or division director who, in turn, requests approval from the OKDHS Director to close the office. If all or a portion of an OKDHS institution or residential care facility must be closed because of an imminent peril threatening the health or safety of residents, clients, employees, or the public, residents or clients are relocated to other institutions or facilities as appropriate.

(3) Applicable regulations upon reopening of closed location.

The appropriate senior administrator or division director instructs the employees in the closed office, institution or residential care facility to return to their normal duties upon the end of the unsafe working condition or may respond to the demands of the situation as necessary. Upon the reopening of a closed office, institution, or residential care facility, normal OKDHS regulations governing leave and OKDHS procedures apply.

(c) Leave when an office is temporarily closed due to imminent peril or unsafe working conditions; or when services are temporarily reduced due to hazardous

weather. Paid administrative leave is accorded affected employees only when a state office is closed or placed on reduced services in accordance with Merit Rules OAC 530:10-15-70 and 530:10-15-71 and this regulation. Employees may be assigned to work in another location. During normal duty hours, employees on paid administrative leave due to unsafe working conditions or hazardous weather conditions are on stand-by or on-call status, and may be called to return to their normal duties or respond to the demands of the situation as necessary.

(1) Employees responsible for staffing essential OKDHS functions during reduced services. Employees who are considered responsible for staffing essential OKDHS functions and who are required to report for work when services are temporarily reduced due to hazardous weather conditions are entitled to accrue administrative leave on a straight-time basis up to eight hours per day for hours worked in their regularly scheduled work period during such reduction in accordance with Merit Rules OAC 530:10-15-71(d).

(A) Employees responsible for staffing essential OKDHS functions during reduced services who do not report for work as scheduled are not eligible to accrue administrative leave or for enforced leave and have the options, per Merit Rules OAC 530:10-15-71(e), to account for leave by:

(i) charging the absence to accumulated compensatory time, if available;

(ii) charging the absence to accumulated annual leave; or

(iii) making up the lost time in a manner consistent with FLSA, if the supervisor determines that office hours and schedules permit.

(B) Administrative leave accrued under this provision must be taken within 180 days of its accrual or the employee must be paid for the leave. Accrued administrative leave must be used before granting of any annual leave except when the employee may lose accrued annual leave.

(2) Employees not responsible for staffing essential OKDHS functions during reduced services. Employees not responsible for staffing essential OKDHS functions and who are scheduled to work are placed on paid administrative leave for their normal duty hours occurring during the period of reduced services.

(A) Employees not responsible for staffing essential OKDHS functions during reduced services do not report for work. Non-essential employees who report for work during reduced services are not entitled to paid administrative leave in addition to regular compensation.

(B) Paid administrative leave applies only to employees scheduled to work during the time period of the reduced services. It does not apply to employees who are absent on any previously approved leave.

(3) **Temporary office closures.** If an OKDHS office must be temporarily closed because of an imminent peril threatening the public health or safety, OKDHS employees scheduled to work in the closed area may be either placed on paid administrative leave or assigned to work in another location.