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POLICY TRANSMITTAL NO. 08-23	DATE: JUNE 24, 2008
HUMAN RESOURCES MANAGEMENT DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF LEGISLATIVE RELATIONS AND POLICY

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TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:2-1, Table of Contents; 2-1-34; and 2-1-89.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

OAC 340:2-1-34 is revised to reflect current form numbers.

OAC 340:2-1-89 is revised to implement terminology changes and the procedural changes due to technological advances at the Office of Personnel Management (OPM).

Original signed on 4-21-08

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Diane Haser-Bennett, Director  
Human Resources Management Division

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Office of Legislative Relations and Policy

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WF # 08-02 (NAP)

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## **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**

340:2-1, Table of Contents

340:2-1-34

340:2-1-89

### **INSERT**

340:2-1, Table of Contents, pages 1-3,  
revised 7-1-08

340:2-1-34, pages 1-3, revised 7-1-08

340:2-1-89, 1 page only, revised 7-1-08

**SUBCHAPTER 1. HUMAN RESOURCES MANAGEMENT DIVISION (HRMD)****PART 1. GENERAL PROVISIONS**

## Section

- 340:2-1-1. Purpose
- 340:2-1-2. Appointing authority
- 340:2-1-3. Oklahoma Merit system of Personnel Administration (Merit System)
- 340:2-1-4. Political activity
- 340:2-1-5. Benefits
- 340:2-1-6. Investigation of employees accused of child abuse or neglect
- 340:2-1-7. Financial Disclosures filed with the Ethics Commission (EC) required and designated
- 340:2-1-8. Employee ethics and other employment

**PART 3. INTERNAL HUMAN RESOURCES**

- 340:2-1-25. Application
- 340:2-1-26. Employment and assignment
- 340:2-1-27. Report of entrance on duty
- 340:2-1-28. Probationary or trial period, classified service
- 340:2-1-29. Appointments
- 340:2-1-30. The drug-free workplace
- 340:2-1-31. Classification plan
- 340:2-1-32. Salary Administration Plan and Agency Compensation Guidelines
- 340:2-1-33. Fair Labor Standards Act rules
- 340:2-1-34. Employment verifications and references

**PART 4. ALCOHOL AND DRUG TESTING APPLICABLE TO OKDHS EMPLOYEES AND APPLICANTS**

- 340:2-1-40. Purpose
- 340:2-1-41. Prohibition
- 340:2-1-42. Definitions
- 340:2-1-43. Implementation of alcohol and drug testing of OKDHS employees and applicants
- 340:2-1-44. Disciplinary action
- 340:2-1-45. Employee Assistance Program referral **[REVOKED]**
- 340:2-1-46. Confidentiality
- 340:2-1-47. Grievance rights **[REVOKED]**

**PART 5. ADMINISTRATIVE PROCEDURES**

- 340:2-1-55. Individual personnel records
- 340:2-1-56. Criminal history checks
- 340:2-1-57. Smoking policy
- 340:2-1-58. Reduced services or office closures

**PART 7. RECRUITMENT, SELECTION, AND PLACEMENT**

- 340:2-1-75. Policy
- 340:2-1-76. Appointments and changes in employee job family descriptor (JFD) and level or position that are not subject to the vacancy posting provisions of the rules in this Part
- 340:2-1-77. Vacancy posting procedures
- 340:2-1-78. Method of application
- 340:2-1-79. Eligibility to compete for positions in the classified service
- 340:2-1-80. Eligibility to compete for positions in the unclassified service
- 340:2-1-81. Issuing OKDHS Form P-S-76, Applicant List and Office of Personnel Management (OPM) certificate of eligibles (certificate)
- 340:2-1-82. Job-related selection criteria
- 340:2-1-83. Selection advisory committee for positions in the classified and unclassified service
- 340:2-1-84. Interviews for positions in the classified service
- 340:2-1-85. Final selection
- 340:2-1-86. Delegation of responsibility for vacancy posting and selection procedures to divisions, facilities, and local offices
- 340:2-1-87. Compensation
- 340:2-1-88. Alternate hiring levels
- 340:2-1-89. Office of Personnel Management (OPM) E-List - classified service
- 340:2-1-90. Required forms to be completed by OPM certificate applicants  
**[REVOKED]**
- 340:2-1-91. Submission of OPM certificate and support documentation to personnel  
**[REVOKED]**
- 340:2-1-92. Personnel review of returned OPM certificate **[REVOKED]**
- 340:2-1-93. Applicants who have previously been discharged from employment in the classified service

**PART 9. TRAVEL REIMBURSEMENT [REVOKED]**

- 340:2-1-100. Purpose and authority **[SUPERSEDED]**
- 340:2-1-101. Definitions **[SUPERSEDED]**
- 340:2-1-102. Applicability; employee/non-employee responsibility **[SUPERSEDED]**

- 340:2-1-103. Completion of Travel Reimbursement Form (Adm-6) **[SUPERSEDED]**
- 340:2-1-104. Authorization of travel (Classified/Unclassified/Exempt Service) **[SUPERSEDED]**
- 340:2-1-105. Attendance at previously arranged meetings **[SUPERSEDED]**
- 340:2-1-106. Per diem **[SUPERSEDED]**
- 340:2-1-107. Subsistence in lieu of per diem **[SUPERSEDED]**
- 340:2-1-108. Miscellaneous expenses **[SUPERSEDED]**



**340:2-1-34. Employment verifications and references**Revised 7-1-08

(a) **Responses to employment verification inquiries.** Oklahoma Department of Human Services (OKDHS) responses to employment verification inquiries, such as credit references, work status inquiries, and employment references on employees or former employees are made either by the OKDHS Finance Division or the Human Resources Management Division (HRMD) except as noted in (b) of this Section. ■ 1

(1) Finance Division or HRMD provides only the employee's or former employee's correct name, dates of employment, and the current or last job family descriptor (JFD) and level held.

(2) An employee's or former employee's address, Social Security number, or other information is not provided.

(3) Only salary confirmation information is provided.

(4) Additional information may be released only upon receipt of a written authorization from the employee or former employee.

(b) **References.** Professional references must be void of opinion, defamation, retaliation, and information that is discriminatory in nature and must not violate confidentiality. ■ 2

(1) **Internal requests.** Supervisors and managers must respond to reference requests initiated within OKDHS. The response is in writing either by memo or e-mail.

(2) **External requests.** Managers and supervisors do not respond to verbal requests for references. Form 11PE015E, Professional Reference Release, is used to provide references. ■ 3 & 4

(c) **Individual or personal references.** Employees or former employees frequently ask administrators, managers, supervisors, or co-workers for personal references. Such references do not express OKDHS official position. Individuals providing references are cautioned that they may be liable and subject to discipline for providing incorrect, inappropriate, or exaggerated references or information that could place OKDHS at risk. ■ 5

**INSTRUCTIONS TO STAFF 340:2-1-34****Revised 7-1-08**

- 1. Sample telephone response to an inquiry is limited to: "Thank you for calling the Oklahoma Department of Human Services (OKDHS). I am pleased to confirm that Mr. or Mrs. (employee name) was an employee of OKDHS from (date) to (date) as a (position title) at (position location). We are unable to release additional information without a signed release from the person."**
- 2. Examples of prohibited information in a reference include:**
  - (1) knowingly false information or information that attacks a person's reputation;**
  - (2) personal information such as sexual orientation or medical history;**
  - (3) age, ethnic background, Americans with Disabilities Act (ADA), or other information that is statutorily protected;**
  - (4) negative information intended to retaliate;**
  - (5) misleading and positive information about a person who poses a risk of harm; and**
  - (6) misrepresentation by failing to disclose that the employee received corrective discipline for violence in the workplace.**
- 3. Do not provide professional reference by telephone. Requests are responded with: "We are unable to release information without a signed authorization document from the person."**
  - (1) The request for reference must be in writing and identify the source of the request. A copy of Form 11PE015E, Professional Reference Release, may be provided to the requester's organization to obtain proper authorization from the applicant or employee in question. Mailed or faxed copies of requests are accepted.**
  - (2) The completed form is provided only upon request from the business or company seeking a professional reference and is not to be given directly to the employee.**

- (3) If the unit receiving the request has a pre-signed release from the employee on file, no further authorization is needed.
- (4) Former or current employees may revoke a previously executed Form 11PE015E in writing, to the location where the signed release was furnished.
- (5) A copy of any information released relating to the professional references request is retained in the local personnel file for a minimum of two years.
4. The in-house or local human resources (HR) liaison assists the manager by checking HRIS prior to responding to the reference to confirm that the reason for leaving OKDHS was discharge or resignation.
5. OKDHS or state letterhead is not used for personal reference request.



**340:2-1-89. Office of Personnel Management (OPM) E-List - classified service**Revised 7-1-08

(a) **General provisions.** This Section provides basic information regarding Office of Personnel Management (OPM) E-Lists. For assistance, consult Merit System of Personnel Administration Rules (Merit Rules) OAC 530:10-9 or contact the Human Resources Management Division (HRMD).

**(b) Required procedures and forms to be completed by OPM E-List applicants.**

(1) Applicants for competitive and non-competitive positions apply using the Internet On-line Application for Employment through the Office of Personnel Management (OPM), <http://www.state.ok.us/opm/>.

(2) All applicants interviewed from an OPM E-List for a competitive classification or non-competitive classification, complete Form 11PE001E, Application for Employment.

(3) The individual selected for appointment completes Form 11PE201E, Application Supplement.

**(c) Submission of OPM E-List and support documentation to personnel.**

(1) The selecting official returns Form 11PE201E, Application Supplement, and the properly coded OPM E-List to HRMD for finalization of the personnel transaction.

(2) Interview notification letters sent to candidates on the OPM E-List must be postmarked no later than seven calendar days before the void date of the OPM E-List; or, if sent by e-mail, the notification is sent to candidates at least three calendar days prior to the void date.

(3) If an applicant is not selected from the OPM E-List, the OPM E-List must be returned to HRMD.

**(d) Review of returned OPM E-List.**

(1) HRMD retains the OKDHS file copy of the OPM E-List.

(2) OPM audits E-Lists for compliance with Merit Rules after the selected candidate enters on duty. OPM has the authority to void any appointment that does not comply with Merit Rules.