



EMPLOYEE HANDBOOK

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EMPLOYEE BENEFITS

PAYROLL

EFFECTIVE DATE: 2/1/08

Oklahoma Conservation Commission payroll procedures will comply with all applicable statutes, rules, laws and pertinent guidelines established by the Office of Management and Enterprise Services.

Employees and supervisors are responsible for the timely and accurate submission of documentation to ensure the accuracy and timeliness of payments to employees.

All full-time employees are paid monthly and by direct deposit (74 O.S. § 292.12 and Merit Rule 530:20-1-3). Advice of Deposits are located in the Employee Self Serve application. Each pay period extends from the first day of the month through the last day of the month. Employees are responsible for reviewing all paychecks and immediately reporting any overpayments or underpayments to the Commission.

There are two types of payroll, Regular and Supplemental.

Regular payroll, issued on the last working day of the month includes those regular employees who will be receiving a full warrant and who are not subject to any potential deductions due to their employment or leave status.

Supplemental payroll is issued no later than the 12th day of the month and it includes new hires, temporary employees, hourly employees and those employees whose accrued leave balance is less than 40 hours (combination of annual and sick leave). Employees with leave balances less than 40 hours will be placed back on regular payroll at the beginning of the pay period after accruing 40 hours and will be paid on the final working day of the month, provided leave is not taken during that pay period.

According to MR 530:10-15-43, to be eligible to be paid for a holiday an employee must be in pay status the work day before or the work day after the holiday. A person whose leave without pay includes the workdays before and after a holiday will not be paid for the holiday. An employee shall not be eligible to be paid holiday pay for any holiday which occurs before entering on duty or after terminating employment. Full time employees shall be paid for holidays based on an 8-hour workday. Part-time employees who are eligible for holiday pay will receive a pro-rated amount (MR 530:10-15-43(d)).

Temporary and hourly employees are not eligible for holiday pay.

LONGEVITY

EFFECTIVE DATE: 2/1/08

Longevity payments will be made in accordance with the Longevity Pay Plan established in 74 O.S. § 840-2.18.

To be eligible for longevity pay, employees must have been continuously employed in the classified or unclassified service of the state for a minimum of two (2) years in full-time status or in part-time status working more than one thousand (1,000) hours a year. For purposes of this section, a break in service of thirty (30) calendar days or less shall not be considered an interruption of continuous service; a break in service of more than thirty (30) calendar days shall mark an end to continuous service. Periods of non-paid leave status in excess of 30 days will not mark a break in service but will extend the anniversary date by the total period of time in non-paid status.

To receive longevity pay an employee must be in pay status on or after their anniversary date.

Eligible employees in full-time status or in part-time employment, working more than 150 hours per month, shall receive one lump sum annual payment in the amount provided in the following schedule, in the employee's anniversary month of their most recent enter-on-duty date with the state. This payment will be added to the employee's regular pay check.

Employees who work less than full time will receive a prorated longevity payment based on the hours worked during the preceding 12 months.

Any employee in unpaid status and otherwise eligible to receive a longevity payment will receive the longevity payment on the first supplemental payroll after the employee returns to paid status.

Annual Longevity Pay Schedule

<u>Years of Credited Service</u>	<u>Annual Longevity Payment</u>
At least 2 but less than 4 years	\$ 250.00
At least 4 but less than 6 years	\$ 426.00
At least 6 but less than 8 years	\$ 626.00
At least 8 but less than 10 years	\$ 850.00
At least 10 but less than 12 years	\$ 1062.00
At least 12 but less than 14 years	\$ 1250.00
At least 14 but less than 16 years	\$ 1500.00
At least 16 but less than 18 years	\$ 1688.00
At least 18 but less than 20 years	\$ 1900.00
At least 20 years	\$ 2000.00
For every 2 years exceeding 20, add \$ 200.00	

Employees terminated as a result of reduction in force or retiring from state employment shall receive upon said termination or retirement the proportionate share of any longevity payment which may have accrued as of the date of termination or retirement. A proportionate share of longevity which may have accrued as of the date of death of an employee shall be made to the surviving spouse of the employee or to the estate of the employee if there is no spouse.

ANNUAL AND SICK LEAVE ACCRUAL RATES

EFFECTIVE DATE: 2/1/08

These procedures for attendance and the request, approval, and use of leave are established in accordance with applicable Merit Rule, state statute, the Family and Medical Leave Act of 1993, and the Uniform Services Employment and Reemployment Rights Act of 1994, are applicable to both classified and regular unclassified employees, and will be applied uniformly to all employees except as otherwise provided by rule and law. Leave programs must be used in accordance with principles of public accountability for state employees.

Eligible employees accrue annual leave based upon hours worked, paid leave, and holidays, but excluding overtime, not to exceed the total possible work hours for the month and in accordance with statutory annual accrual rates and accumulation limits (74 O.S. § 840-2.20). Part-time employees accrue annual leave in an amount proportionate to that which would be accrued under full-time employment. [MR 530:10-15-11(b)(2)] Annual leave may not be taken in advance

of accrual. [MR 530:10-15-11(b)(6)] Accruals occur, and are added to balances at the end of the affected month and available for use the beginning of the next month. The Oklahoma Legislature has now given agencies the ability to allow employees to exceed the maximum annual leave accumulation limits. The Conservation Commission has adopted the rolling month method so the excess annual leave must be used within 12 months of the date of accrual. No accruals in excess of the statutory limit may be paid, transferred (unless the transfer was pursuant to statute or an executive order), or donated. [MR 530:10-15-11(b)(5), 74 O.S. § 840-2.23] Annual leave that may be lost is defined as any part of an employee's current annual leave balance that is in excess of the statutory limit. (240 hours for employees with less than 5 years service; 480 hours for employees with 5 or more years of service)

Temporary employees and other limited term employees are ineligible to accrue, use or be paid for sick and annual leave. (MR 530:10-15-10(a)).

RETIREMENT

EFFECTIVE DATE: 2/1/08

Eligible employees of the Conservation Commission participate in a defined benefit retirement plan administered by the Oklahoma Public Employees Retirement System (OPERS). A defined benefit plan promises its members a lifetime retirement benefit when the member meets certain eligibility requirements. For more information, refer to the most current OPERS handbook or on OPERS website.

Employees may also elect to participate in OPERS 2.5% Step-Up. To participate in the Step-Up, members must complete and sign a Step-Up election form which is an irrevocable election and is binding on all future participation in OPERS, even if the member changes jobs or has a break in service. The Step-Up will increase the members' computation factor to 2.5% only on participating service they accrue after the election and only for full years (12 months) of participating service.

Eligible employees may also choose to participate in the state's defined contribution retirement plan (SoonerSave) administered by OPERS. In a defined contribution plan, no specific benefit is promised to a plan participant. The participant is primarily responsible for making contributions to the plan and managing those assets in order to produce a source of funds available during retirement years. Employees participate by making contributions to the Deferred Compensation Plan (457 plan), and the State of Oklahoma makes a contribution

of \$ 25.00 for all participating employees to the Savings Incentive Plan (401(a) plan). For more information, refer to OPERS website.

HEALTH INSURANCE

EFFECTIVE DATE: 2/1/08

The State of Oklahoma's flexible benefits plan includes required insurance (health, dental, disability, and basic life) that each eligible employee must select for themselves as well as optional benefits which includes vision and supplemental life insurance. Employees may also elect to insure eligible dependents as provided by the plan.

Eligibility requirements are determined by state statute and any rules or guidelines promulgated by the Employees Benefits Division of Human Capital management, a division of the Office of Management and Enterprise Services. All Conservation Commission employees "whose employment is not seasonal or temporary and whose employment requires at least one thousand (1,000) hours per year," (74 O.S. §1363), must participate in the state's flexible benefits plan except for employees retired from a branch of the United States military receiving health care through a federal plan (74 O.S. § 1370 and 1371).

Employees receive a benefit allowance which increases as the cost of benefits increase from year to year. The employee also receives a benefit allowance based on dependents covered by health insurance. If your allowance does not completely cover the cost of the benefits selected, you can use pretax dollars to pay for the portion of your benefits the allowance does not cover but only if you elect "yes" to premium conversion when you enroll. If an employee elects benefits that total less than the benefit allowance, the difference will be taxable.

Each employee shall make annual elections during the enrollment period to be effective the first of January the following year. If an employee does not make a selection, they will automatically be enrolled in the default benefits which they were previously enrolled in with the exception of the medical reimbursement plan or the dependent reimbursement plan which do not roll over from year to year.

Changes can be made if they are qualified family status changes approved by the Internal Revenue Service within 30 days of the event. Cover one, cover all is the basic rule however, spouses may elect to opt out of Health and/or Dental insurance coverage.

DENTAL INSURANCE

EFFECTIVE DATE: 2/1/08

Employees eligible to enroll in the health insurance program are automatically enrolled for dental coverage paid for by the State of Oklahoma with the employee benefit allowance. An employee may also elect to purchase coverage for their spouse and dependents for an additional premium to be paid by the employee.

LIFE INSURANCE

EFFECTIVE DATE: 2/1/08

Employees eligible to enroll in the health insurance program are automatically enrolled in Basic Life of \$20,000 paid for by the State of Oklahoma with the employee benefit allowance. An employee may also elect to purchase additional coverage for themselves. There is additional coverage available for up to 2 times the yearly salary (Guaranteed Issue) with no evidence of insurability with premiums based on age only at initial enrollment (within 30 days of hire date). Coverage up to 5 times the yearly salary may also be purchased, with the amount of the G.I. available after evidence of insurability has been submitted and approved by the Insurance Board.

An employee may also elect dependent life insurance for family members. There are 3 options available, low, standard and premier.

For more information the handbook is available at Oklahoma State Employees and Education Insurance website.

DISABILITY INSURANCE

EFFECTIVE DATE: 2/1/08

Employees eligible to enroll in the health insurance program are automatically eligible for the disability insurance. This plan is designed to provide partial replacement of income lost as a result of a disabling illness or injury. For more information the handbook is available at Oklahoma State Employees and Education Insurance website.

WORKERS'S COMPENSATION INSURANCE

EFFECTIVE DATE: 2/1/08

If an employee is injured on the job the employee is protected by Worker's Compensation insurance. Any work related injury should be reported as soon as possible to the employer. The appropriate forms for employee and supervisor must be completed as quickly as possible and faxed to the FMHR division so an injury can be filed at CompSource so medical treatment can be authorized as quickly as possible.

SAFETY PROGRAM

EFFECTIVE DATE: 2/1/08

The Conservation Commission will designate an employee who shall coordinate all safety programs and who will offer safety classes no less than quarterly for each employee to attend in accordance with 40 O.S. §403.E.

STATE AND FEDERAL GUIDELINES

AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY

EFFECTIVE DATE: 2/1/08

The Conservation Commission is committed to equal employment opportunity for all persons.

It is the policy of the Conservation Commission that there be no discrimination on any personnel action on the basis of political or religious opinion or affiliation, race, creed, color, gender, age, national origin, or by reason of physical handicap, so long as the physical handicap does not render the employee unable to do the work for which employed. This agency will not tolerate any form of unlawful discrimination to which this policy applies.

It is the responsibility of all staff members to familiarize themselves with the Affirmative Action Plan and make a good faith effort to adhere to their assigned responsibilities within the Plan. A copy of the Plan will be made available for your review by the Affirmative Action/Equal Employment Opportunity coordinator.

If an employee believes they have been the victim of unlawful discrimination, they may file a complaint in accordance with the Commission's grievance procedures.

FAIR LABOR STANDARDS ACT POLICY

EFFECTIVE DATE: 2/1/08

This policy is in compliance with the United States Fair Labor Standards Act (FLSA).

It is the policy of the Conservation Commission to adopt and implement the provisions of the Fair Labor Standards Act and its regulations in accordance with the policy of the State of Oklahoma, as the basic overtime policy of the state (§61-3 and §74-840-2.15). Any overtime work necessary to the continued effective operations of the Commission should be managed in the most efficient and economical manner possible.

ESTABLISHMENT OF THE WORKWEEK

Beginning Time: 12:00 AM Sunday

Ending Time: 11:59 PM Saturday

Normal Work Days: Monday through Friday

The Conservation Commission's official hours will be 8:00 am to 4:30 pm.

Each employee and supervisor will establish a set time in which their workday will begin and end. These times must not interfere with the normal operations of their division or the agency. These times must be approved by the division director. Each division director will provide the receptionist with a workday schedule for the employees of their division.

The Conservation Commission also has available a compressed workweek schedule which consists of two weeks of 80 hours. Hours must be approved by Division Director and kept on file in employee's personnel file. All changes in established work day must be approved by division director. If changes are made, the division director must provide the human resource management specialist with a new workday schedule for the employees of their divisions.

OPEN RECORDS POLICY

EFFECTIVE DATE: 2/1/08

The Oklahoma Open Records Act requires all state agencies to make certain records available for public inspections. Under this Act, all records, except certain personnel records, maintained by the Conservation Commission shall be open for public inspection, copying, or reproduction during regular office hours. Fees charged under this policy will be paid to the receptionist at the Conservation Commission. Fees available upon request.

Many parts of the personnel files are subject to certain privacy consideration in accordance with Title 51, O.S., § 24A.7 and are not open to public inspection. The Conservation Commission is permitted to disclose the following information:

1. An employment application of a person who becomes a public official.

2. The gross receipts of public funds.
3. The dates of employment, title or position.
4. Any final disciplinary action resulting in loss of pay, suspension, demotion of position or termination.

SOLICITATION ON STATE PROPERTY

EFFECTIVE DATE: 2/1/08

State facilities will not be used for the purpose of solicitations.

HAZARDOUS WEATHER

EFFECTIVE DATE: 2/1/08

The Conservation Commission has established the following policy, in accordance with MR 530:10-15-71 in the event of hazardous weather. When the Governor reduces and/or closes state government due to weather emergencies, the Conservation Commission will not assign staff to be at the office, either in the Agriculture Building or the Lincoln Plaza Building as those buildings will not be accessible. These employees will be on paid administrative leave. Employees who are not eligible to accrue annual or sick leave (including enforced leave), such as temporary employees, will not be granted administrative leave or paid for lost time.

Any Conservation Commission employee who was previously approved to be absent from work and was not expected to work will be covered by the leave option previously approved and will not be eligible for paid administrative leave.

The Conservation Commission's (main phone) answering machine will be changed to let callers know who to contact in case of emergency.

Employees located outside of the Oklahoma City area are to contact their supervisor to get guidance on whether to report to work or not.

DRUG FREE WORKPLACE POLICY

EFFECTIVE DATE: 2/1/08

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and alcohol on Conservation Commission premises or while conducting Conservation Commission business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, in addition to any legal consequences.

The term "controlled substance" means any drug listed in the Federal Schedules of Controlled Substances. Generally, these are drugs which have a potential for abuse. Such drugs include but are not limited to heroin, crack/cocaine, PCP, marijuana and amphetamines and various derivative compounds of these drugs. This may also include legal drugs which are not prescribed for the employee's personal use by a licensed physician.

Any Conservation Commission employee who is convicted of, or enters a plea of guilty or nolo contendere (no contest) to any felony charge (drug related or other) will be discharged, as provided in Title 51, O.S., § 24.1.

Any Conservation Commission employee convicted of a drug or alcohol related offense occurring on commission property or while conducting Conservation Commission business which results in a non-felony conviction will be subject to appropriate disciplinary action and may be required to successfully complete a recognized drug or alcohol treatment or rehabilitation program as a condition of continued employment.

Any Conservation Commission employee convicted under a criminal drug statute (felony or misdemeanor) for violations occurring on Conservation Commission property or while conducting Conservation Commission business must report such conviction in writing to the Executive Director within five (5) calendar days of the conviction.

The Conservation Commission recognizes drug and alcohol dependency and drug and alcohol abuse as an illness and a major health problem. Employees who need help in dealing with such problems are encouraged to use the Office of Management and Enterprise Services, Employee Assistance Program and health insurance plans, as appropriate, in accordance with MR 530:10-21-1. Use of the Employee Assistance Program will not jeopardize an employee's job. Records

maintained by the Employee Assistance Program are confidential and will not become part of an employee's file.

WORKPLACE VIOLENCE

EFFECTIVE DATE: 2/1/08

This procedure has been established in order to promote a safe environment for Conservation Commission employees. The Conservation Commission is committed to working with employees to maintain a work environment that is free from violence, threats of violence, harassment, intimidation, and other disruptive behavior through the establishment of guidelines for preventing and responding to incidents of workplace violence.

Violence, threats, harassment, intimidation, and other disruptive behavior will not be tolerated in the workplace. Employees who inflict physical or emotional injury, threaten to harm or injure, or who intentionally damage the property of other employees, visitors, or vendors will be appropriately disciplined and may be referred for criminal prosecution. Sanctions may include discharge from employment and other penalties as provided by law.

POLITICAL ACTIVITIES GUIDELINES

EFFECTIVE DATE: 2/1/08

In accordance with Oklahoma State Statutes, Rule 257:1-1-4,

(a) Classified employees. No classified employee shall:

1. Use his or her official authority or influence for the purpose of interfering with an election to or a nomination for office, or affecting the results thereof;
2. Become a candidate for an elective public office in a partisan election;
3. Directly or indirectly solicit contributions or other funds for a partisan political candidate or party;
4. Directly or indirectly solicit, receive, collect, handle, disburse or account for assessments, contributions or other funds for a partisan political purpose; or
5. Organize, sell tickets to promote or actively participate in a fund raising

activity of a candidate in a partisan political election or of a political party.

(b) During work status. No classified employee shall be authorized to engage in political activity while on duty, or while in a uniform that identifies him as a state employee. Nor shall a classified employee be permitted to engage in political activities in the assigned work areas of this state agency.

(c) Unclassified or classified state employees. No unclassified or classified state employee, with the exception of elective officers, shall wear a campaign button, hat, badge or other campaign paraphernalia during the hours that the employee is officially in work status for a governmental entity.

MISUSE OF OFFICE

EFFECTIVE DATE: 2/1/08

In accordance with State Statutes 257:20-1-4, no Conservation Commission employee shall:

1. Ask for or accept any compensation for the purpose of influencing the employee in the performance of their official duties. However, this section does not apply to bona fide campaign contributions.
2. Use his or her official position to obtain special privileges for themselves or others.
3. Release or offer to release confidential information acquired through his or her official position to anyone who is not entitled to receive such information, nor shall he or she use this information for personal gain.
4. Sell, offer to sell or cause to be sold goods or services to any state agency or business licensed by or regulated by this state agency unless the employee has been separated from state service at least eighteen (18) months. The only exceptions are:
 - a. The property is acquired by condemnation proceedings; or
 - b. The price to be paid is approved in writing by the Executive Director and the Governor.
5. Accept or solicit any compensation that would influence his or her judgment, for his or her services as an employee of this state agency from any other source other than the state.
6. Accept any other employment which would influence his or her judgment in the performance of their public duties.

EMPLOYEE'S FREEDOM OF EXPRESSION

EFFECTIVE DATE: 2/1/08

In accordance with Oklahoma State Statutes, MR 455:10-3-6, the Conservation Commission fully promotes open state government and encourages any employee of this agency to feel free to discuss the operations of this agency with anyone.

All employees of the Conservation Commission have the right to discuss any of the operations of this agency with any person they so choose. No disciplinary actions will be taken against any employee who chooses to discuss the operations of this agency.

The Executive Director or any supervisor of the Conservation Commission shall not prohibit employees of this agency, whether classified or unclassified, from discussing the operations of this agency, either specifically or generally with others.

Disciplinary actions shall not be taken against any employee for providing or offering to provide non-confidential information or for communicating to others any substantiated claim of wrongdoing by or within this agency.

Any employee who feels that they have had disciplinary action taken against them because of the above may file a written request within sixty (60) calendar days of the alleged disciplinary action for a hearing by the Oklahoma Merit Protection Commission

RISK MANAGEMENT GUIDELINES

EFFECTIVE DATE: 2/1/08

Each employee of the commission has certain responsibilities with regard to a "potential liability incident." Under the Conservation Commission's Risk Management Program, a "potential liability incident" is defined as any event or occurrence:

1. Taking place upon or within any real property owned or used by the

- State of Oklahoma; or
2. Involving participation by any officer or employee of any agency of the State of Oklahoma who may be acting within the scope of his or her employment; or
 3. Involving any State owned or operated motor vehicle or equipment; or
 4. which results in personal injury or property damages; or
 5. when there is probable cause to believe that such event or occurrence may give rise to a claim for damages against the State or employee of the State of Oklahoma.

In accordance with the Department of Central Services Fleet Management Administrative Rules OAC 580:35-1-4, the Conservation Commission adopts the following rules for state owned vehicles:

(a) **State vehicle driving conditions.** Every driver of a state owned vehicle shall comply with the following conditions:

1. A state owned vehicle shall not be used for personal transportation to stores, shopping centers, lakes, parks, golf courses, athletic events, etc.
2. A state owned vehicle shall not be used for hauling a trailer other than a trailer that is state owned or that is rented or leased for official business.
3. All state traffic rules and regulations shall be observed.
4. All city ordinances related to traffic, parking, etc. shall be observed.
5. Safe and courteous driving habits shall be used at all times.

(b) **Prohibited drivers and passengers.** Persons other than state employees shall not be permitted to drive or ride in state owned vehicles, unless authorized by the using agency and then only on official state business.

(c) **Traffic violations.** State-owned vehicles shall not be driven in excess of the speed limit posted by states and municipalities. All traffic violation fines shall be the sole responsibility of the driver involved.

Employee's Responsibility

1. If you are involved in or witness a potential liability incident, report it to the proper authorities, to your supervisor and to the Risk Management Officer.
2. Report any potential liability incident involving a motor vehicle as follows:
 - a. Notify the nearest security or law enforcement officer with the responsibility for the area where the incident occurred unless an injury makes notification impractical.

- b. Stay at the scene until all the authorities have completed their investigation unless an injury or an extenuating circumstance prevents you from remaining at the scene.
- c. Contact the Risk Management Officer and your supervisor to report the potential liability incident as soon as possible. Make a note of the number that will be assigned to the incident.
- d. Give out only the information required by authorities. Do not make any comments concerning the assumption of liability. Do not sign any statement except for an authorized statement of the Risk management Office.
- e. Each employee is responsible for completing any required forms or supplying any required information which should be completed that day.
- f. In cases where the employee is unsure of whether an incident could be a “potential liability incident” for the Commission, the employee should consult with their immediate supervisor.

Transporting passengers who are not state employees, patrons, benefactors of other associated in state-owned or personal vehicles, while conducting state business is prohibited unless the transportation of passengers is job related and necessary to carry out the function of the duties assigned for the benefit of the state.

Supervisor’s Responsibility

Each supervisor shall notify the Risk Management Officer of the involvement of a Conservation Commission employee under their supervision in a “potential liability incident” the next working day. All paperwork will be forwarded to the Risk Management Officer immediately upon completion.

ADMINISTRATIVE POLICIES AND PROCEDURES

SMOKING

EFFECTIVE DATE: 8/1/12

In accordance with Title 63, O.S., § 1-1523, smoking is prohibited in all public places, in any indoor workplace, and all vehicles owned by the State of Oklahoma and all of its agencies and instrumentalities. (Please refer to attached Executive Order 2012-01.)

DRESS CODE

EFFECTIVE DATE: 2/1/08

All employees of the Conservation Commission are representatives of the Commission and shall dress accordingly, in a manner that presents a good image of our agency. Clothing shall be neat, clean and in good repair. Employees shall wear appropriate attire for a professional office situation. Employees whose assignments involve physical labor and/or field work shall wear appropriate attire for that particular work situation.

LEAVE TRACKING

EFFECTIVE DATE: 2/1/08

Employee leave records are maintained by the Human Resource Management Specialist (HRMS). Within three (3) working days after the end of the month, supervisors are responsible for having all leave records for their employees submitted to the HRMS. The HRMS is responsible for entering the leave information of each Commission employee into the Peoplesoft system. Each employee is responsible for keeping track of their own leave thru the Employee Self Service application in Peoplesoft.

CHECK IN / CHECK OUT

EFFECTIVE DATE: 2/1/08

It is the employee's responsibility to advise the person working the front desk when they leave the office. It is the employee's responsibility to make it clear if they are leaving for the day or leaving and returning and at what approximate time they will return.

Employees outside Oklahoma City locations must notify their supervisor when they are leaving and returning.

LEAVE REQUEST

EFFECTIVE DATE: 2/1/08

It is each employee's responsibility to request annual leave from their supervisor as far in advance as possible. When an employee is on sick leave or enforced leave status it is their responsibility to advise their supervisor in a timely manner that they are on leave and turn in a leave slip when they return to work.

EMPLOYMENT, PERFORMANCE EVALUATION AND PROMOTIONAL POLICY

PROCEDURE FOR ENTERING SERVICE

EFFECTIVE DATE: 2/1/08

When a new employee enters service with the Conservation Commission, their supervisor shall make an appointment for the new employee with the Human Resource Management Specialist (HRMS) to ensure all required forms and records are accurate and complete. The employee's supervisor will inform and familiarize the employee about the Conservation Commission's operations.

PROMOTIONAL POLICY AND FILING VACANT POSITIONS POLICY

EFFECTIVE DATE: 2/1/08

The goal of the Conservation Commission is to place the most qualified person in a position that will best meet the needs of this agency. The Conservation Commission shall, whenever possible, fill vacancies by promoting from within. The Conservation Commission has a standardized application form which shall be used by all applicants.

When a position becomes available, the Division Director shall contact the Human Resource Management Specialist (HRMS) to inform them of the vacancy. They will also contact the Executive Director for authorization to fill the vacancy by submitting in writing a justification statement which will be used on the Personnel Freeze Exception form (OPM 92). The HRMS will complete the OPM 92 and will get required signatures from the Executive Director and the Cabinet Secretary. The HRMS may then post the job announcement for the position in the Commission office and/or on the Commission's web site.

The job announcement should contain the following information:

1. Posting date or opening date of position;
2. Closing date or deadline for applications;
3. Job title
4. Classified or unclassified position
5. Salary range

6. Major work duties
7. Knowledge, skills and abilities
8. Minimum education and/or experience

If there are no qualified applicants from within the agency, the HRMS may then request a list of applicants from the register and letters requesting an interview will be mailed out on classified positions. On unclassified positions, the job announcement will be sent to various agencies, universities and newspapers.

After the closing date, the Division will start the interviewing process. The interviews will be conducted by a minimum three (3) member interview committee. This committee shall generally consist of the immediate supervisor and two other persons who will be appointed by the Division Director. After all applicants have been interviewed, the committee will select the candidate who they feel best fits the needs of that particular position. The committee will recommend this candidate to the Executive Director for final approval. Documentation for any hiring or promotional process will be retained in a confidential file by the HRMS for two years following an appointment.

Interview procedures must be obtained by the HRMS. All applicants will be given the same consideration and treated fairly and equally in accordance with Title 74, O.S. Section 4:15. The Commission shall use employee service ratings in decisions regarding promotions, demotions, performance pay increases and decreases.

EMPLOYMENT OF RELATIVES

EFFECTIVE DATE: 2/1/08

The Conservation Commission does not prohibit the hiring, promotion, demotion, lateral transfer, or continued employment of a relative of an employee of the Commission. The Executive Director will determine that neither relative participates in making recommendations or decisions specifically affecting the appointment, retention, promotion, demotion, or salary of the other relative.

EMPLOYEE PERFORMANCE EVALUATION

EFFECTIVE DATE: 2/1/08

A performance evaluation is a method for a supervisor to inform employees of their progress. Evaluations are considered in decisions regarding salary advancement, promotions, demotions, dismissals and also serve as a counseling device.

The Conservation Commission uses the Personnel Management Process (PMP). Each employee receives a copy of the evaluation and a copy of each evaluation is included in that employee's personnel file. Employees receive an opening, mid-year and closing year evaluation. Each employee shall be evaluated at least annually on a 12-month period.

PROBATIONARY EMPLOYEE AND PROBATIONARY PERIOD

EFFECTIVE DATE: 2/1/08

A classified probationary employee is one that is serving an evaluation period of six months to a year. During this period, the probationary employee has the opportunity to demonstrate their abilities to perform the duties of the position for which they were selected. The probationary period may be extended by the Executive Director or Division Director. A probationary employee may be terminated at any time. Action taken during this period may not be appealed unless otherwise provided by the Oklahoma Personnel Act.

Probationary employees may not be promoted or transferred during the probationary period and are not eligible to apply for promotions.

EMPLOYEE CLASSIFICATION

EFFECTIVE DATE: 2/1/08

PERMANENT CLASSIFIED EMPLOYEE

A permanent classified employee is one who has successfully completed the required probationary period.

Classified service is the service of state employees and positions under the jurisdiction of the Oklahoma Merit System of Personnel Administration.

UNCLASSIFIED EMPLOYEE

An unclassified employee is one not classified under the Oklahoma Merit Rules for Employment. Unclassified employees serve at the pleasure of the Executive Director and may be terminated at any time.

TEMPORARY EMPLOYEE – Seasonal or Project Labor

A temporary employee is one that is hired for a specified length of time with no intent of becoming a full time employee.

All employees of the Conservation Commission are bound to the terms of the policies and procedures whether they are classified, unclassified, or temporary.

LEAVE GUIDELINES

ANNUAL AND SICK LEAVE

EFFECTIVE DATE: 2/1/08

In accordance with the Merit Rules, MR 530:10-15-10, all employees except temporary and other limited term employees are eligible for annual leave and sick leave with full pay as described below.

Annual and sick leave accrual rates and accumulation limits are based on continuous service with the state. For purposes of leave guidelines, continuous service is defined as total service as a classified permanent employee or as an unclassified employee with comparable status. Continuous service does not include periods of employment on unclassified temporary or other limited term appointments. No more than thirty (30) calendar days may have elapsed during a transfer or resignation/reinstatement proceeding.

If more than thirty (30) days have passed, such period shall mark a break in service. Leave without pay in excess of thirty (30) calendar days may not be considered as additional service for leave accrual purposes; however, it is not to be considered a break in service. If an employee who has been laid off from the state service as a result of a formally documented reduction-in-force is reemployed in the state service within eighteen (18) months, the period of time laid off shall not be considered a break in service for leave purposes.

Employees accrue annual and sick leave when they are actually on the job or in an approved leave with pay status. If an employee goes on leave without pay, the accrual of annual and sick leave accrue only on the number of hours worked.

The Conservation Commission policy regarding leave will be applied uniformly to all employees unless otherwise provided by law and the Merit Rules. In order to ensure that the Conservation Commission functions and operations are not disrupted, supervisors may limit the number of employees who may take annual leave during the same period. In this case such leave shall be approved on a first-requested, first-approved basis. If several requests for the same dates are submitted at the same time, the amount of time the employee has of state service or the critical needs of this agency will be used to determine the approval.

Annual leave must be requested in advance. Annual leave may not be taken in advance of accrual. Holidays falling within a period of annual leave are not charged to annual leave.

Any employee who leaves this agency may transfer accrued annual leave to another state agency if the receiving agency will accept it. Otherwise, the employee who is terminating will be paid for the number of accrued hours of annual leave.

Accrued annual leave of employees who are hired or transferred from another state agency will be accepted by approval of the Executive Director.

MINIMUM REQUIRED LEAVE BALANCES

The Conservation Commission, by requiring the accumulation of a certain minimum leave balance in order to be eligible for regular monthly payroll status, minimizes the potential risk of warrants having to be cancelled due to an unanticipated leave of absence without pay occurrence after the payroll has been run.

If at any time during the month, an employee's accrued leave balance falls below forty (40) hours, that employee will be moved to the supplemental payroll for that particular month's payroll period. If an employee goes below the required forty (40) hours of leave at the end of the month and they receive their warrant before the leave accounting is done for the end of the month, they will be placed on the supplemental payroll for the following month. As soon as an employee has the required balance of forty (40) hours leave, they will immediately go back on regular payroll. The supplemental payroll is completed as soon as all leave accounting for the entire agency is completed for the prior month. This usually occurs around the tenth (10th) of the month.

A person beginning employment with the Conservation Commission who is new to state service will be on the supplemental payroll the first two months of their employment, because they begin with no accrued leave

If a person transfers from another agency and brings at least forty (40) hours of leave with them, they will be on the regular payroll the first month.

ANNUAL LEAVE AND SICK LEAVE ACCRUAL RATES AND ACCUMULATED LIMITS TABLE

Annual Leave			Sick Leave	
Years of Cumulative Service	Yearly Accrual	Accumulation Limit	Yearly Accrual	Accumulation Limit
Less than 5 years	15 days/year 10 hrs/month	240 hrs	15 days/year	No limit
5 but less than 10 years	18 days/year 12 hrs/month	480 hrs	15 days/ year	No limit
10 to 20 years	20 days/year 13.33 hrs/month	480 hrs	15 days/ year	No limit
Over 20 years	25 days/year 16.67 hrs/month	480 hrs	15 days/ year	No limit

SICK LEAVE

In accordance with the Merit Rules, MR 530:10-15-12, sick leave is to be used when an employee is incapacitated by sickness or injury, for medical, surgical, dental or optical examination or treatment, or when the employee's presence at work would jeopardize the health of the employee or others.

Sick leave is accrued at the rate of ten (10) hours per month for all employees. Sick leave earned during one month shall not be available for use until the beginning of the next month.

Employees must call their supervisor each day that they are unable to work unless a mutual understanding is reached concerning when the next call will be made (as in the case of maternity reasons, extended hospital stay, etc.). Employees must complete a leave request form stating the reason for the absence as soon as they return to work. The Executive Director may require evidence of illness or other reason for absence. If an absence exceeds 3 working days, the employee shall give the Executive Director a physician's statement unless the Executive Director waives it. For shorter absences, the Executive Director may require the employee to supply proof the absence was consistent with the reasons stated in the first paragraph in this section.

Holidays falling within a period of sick leave shall not be charged as sick leave. Employees transferring to another state agency may transfer all accrued sick leave. Sick leave may not be used for annual leave and may not be taken in advance.

ENFORCED LEAVE

EFFECTIVE DATE: 2/1/08

In accordance with MR 530:10-15-40, an employee may take time off with pay when a member of their immediate family or household requires the employee's care because of illness or injury, in the case of death in the immediate family or household or in case of personal disaster.

Enforced leave will be charged against the employee's sick leave and may not be granted in excess of accumulated sick leave. The number of days granted will be governed by the circumstances of the case, but in no event shall this leave exceed 80 hours in a calendar year.

For the purpose of enforced leave, immediate family or household includes spouse, children, parents or parents-in-law, step-parents, step-children, brother or brother-in-law, sister or sister-in-law, son-in-law, daughter-in-law, grandparents, grand children, foster children or anyone residing as a member of the employee's immediate household.

HOLIDAYS

EFFECTIVE DATE: 2/1/08

Holidays shall be granted in accordance with Merit Rule 530:10-15-43 and the Governor's proclamations. However, the Conservation Commission needs and duties may require that some permanent and probationary employees work on holidays. Compensatory time, depending on employee's FLSA status, will be given in these situations. Temporary and hourly employees are ineligible for paid holiday leave.

To be eligible to receive holiday pay, an employee shall be in pay status the entire regularly-scheduled workday either the workday before or the workday after the holiday.

Eligible Conservation Commission employees shall receive holiday pay based on an 8-hour workday. Employees who are on compressed work week will use an additional hour of annual leave or work an additional hour during the same workweek.

COURT AND JURY SERVICE

EFFECTIVE DATE: 2/1/08

In accordance with the Merit Rule 530:10-15-46, an employee who is directed to appear on a regular work day as a witness or jury member for the federal government, the State of Oklahoma or a political subdivision; as a witness before a state board, agency or commission; or as an expert witness in their capacity as a state employee is entitled to time off with regular compensation.

If an employee is subpoenaed in private litigation by some part other than the federal government, the State of Oklahoma or a political subdivision to testify as an individual, time off must be taken as annual leave or leave without pay at the employee's discretion.

The Executive Director shall require the employee to submit a copy of the subpoena, summons, or other court order or process as a prerequisite for determining whether or not leave is to be taken.

MILITARY LEAVE

EFFECTIVE DATE: 2/1/08

In accordance with the Merit Rule 530:10-15-44, military leave is authorized for all permanent or probationary employees.

All employees who are members of the components of the Armed Forces of the United States, shall, when ordered by proper authority to active service, be entitled to a leave of absence for a period of such active service without loss of status or service rating and without loss of pay during the first thirty (30) calendar days of such leave of absence during any calendar federal fiscal year, October 1 through September 30.

VOTING LEAVE

EFFECTIVE DATE: 2/1/08

All employees of the Conservation Commission are strongly encouraged to participate in the democratic process and exercise their constitutional right to vote.

In compliance with Title 26, O.S., Section 7-101, the Conservation Commission may change the work hours to allow three (3) hours before the beginning of work or after the work hours on Election Day to ensure every employee is afforded their right to vote.

Employees whose normal working hours do not allow a continuous three hour period from 7:00 a.m. to 7:00 p.m. away from work are entitled to 2 hours off during their normal working period for the purpose of voting, so long as the following conditions are met:

Any employee who chooses to exercise the 2 hour voting leave must, on the day **preceding** the election day, notify their supervisor, orally or in writing, of their request for the 2 hour voting leave **and** provide their supervisor with proof of voting upon return to work.

Voting leave shall not apply to school board or bond elections.

ORGANIZATIONAL LEAVE

EFFECTIVE DATE: 2/1/08

In accordance with the Merit Rule 530:10-15-41, a permanent employee shall be entitled to take leave with pay not to exceed three (3) days a year, to attend meetings of job-related professional organizations. The employee must be a member of the organization and the organization must collect annual dues, conduct annual meetings and provide job-related continuing education for its members.

This leave shall not be used for lobbying activities which include the lobbying of legislative or executive branch elected officials within state-owned or leased buildings.

FAMILY MEDICAL LEAVE

EFFECTIVE DATE: 2/1/08

In accordance with Merit Rule 530:10-15-45, family medical leave, although not actually a separate type of leave, is intended to be used for the following reasons:

1. Care for the employee's child after birth, or placement for adoption or foster care;
2. Care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
3. A serious health condition that makes the employee unable to perform the employee's job.

Employees eligible for family leave are permanent classified and unclassified employees and have been employed by the state at least 12 months and have worked at least 1,250 hours during the preceding 12-month period. Family leave is limited to a total of 12 weeks during any 12-month period.

Since family leave is not accrued or accumulated, employees have the following choices to account for the time lost because of family leave. They may:

1. Charge leave to accrued compensatory time;
2. Charge leave to accrued annual leave;
3. Charge leave to accrued sick leave;
4. Record leave as enforced leave, provided the employee does not exceed the limits of enforced leave; or
5. Record leave as leave without pay.

If at all possible, employees shall provide reasonable advanced notice and a completed request form before they take family leave. If it is not possible for the employee to give advanced notice, the employee shall complete a leave request as soon as they possibly can. This request must:

1. Be in writing;
2. Describe the reason(s) for the leave;
3. Indicate the type of leave the employee is requesting;
4. Include any information or documentation required for the type of leave requested.

If an employee cannot submit advanced notice, they must include a description of why it was impossible to do so.

LEAVE SHARING

EFFECTIVE DATE: 2/1/08

In accordance with Merit Rule 530:10-15-52 and Title 74, O.S. Section 840.2.23, the purpose of the state leave sharing program is to permit employees to donate annual and or sick leave to a fellow employee who is eligible for family leave, or who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate employment. State employees can only donate leave to state employees.

“Relative of the employee” shall be limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee.

“Household members” mean those persons who reside in the same home, who have reciprocal duties to and provide financial support for one another. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or commune.

“Severe” or “extraordinary” means serious, extreme or life threatening.

“State employee” means a permanent classified employee or a regular unclassified employee with over one (1) year continuous service with the state. It does not include classified employees in probationary status or unclassified employees on temporary or other limited term appointments.

An employee may be eligible to receive shared leave if the Executive Director determines that the employee meets the criteria and the employee has abided by state policies regarding the use of sick leave. Shared leave for personal illness shall not continue once the employee is eligible for the disability program.

An employee may donate leave to another employee only pursuant to the following conditions:

1. The receiving employee has exhausted, or will exhaust, all leave because of the previously mentioned reasons.

2. The condition has caused, or is likely to cause, the employee to go on leave without pay or to terminate employment.
3. The Executive Director permits the leave to be shared with an eligible employee.

The donating employee may donate any amount of leave provided the donation does not cause the leave balance of the employee to fall below eighty (80) hours of annual and/or sick leave. Employees may not donate excess annual leave that the donor would not be able to otherwise take.

The Executive Director shall determine the amount of donated leave an employee may receive and may only authorize an employee to use up to a maximum of two hundred sixty-one (261) days of shared leave during total state employment.

The Executive Director shall require the employee to submit, prior to approval or disapproval, a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition.

Donated leave is transferable between employees in different state entities.

All forms of paid leave available for use by the recipient must be used prior to using shared leave.

Any shared leave not used by the recipient during each occurrence as determined by the Executive Director shall be returned to the donor(s). The shared leave remaining will be divided among the donors on a prorated basis on the original donor's value and reinstated to the leave balance of each donor.

All donated leave must be given voluntarily.

LEAVE WITHOUT PAY

EFFECTIVE DATE: 2/1/08

The following policies are in accordance with the Merit Rules:

VOLUNTARY LEAVE WITHOUT PAY – MR 530:10-15-47:

A permanent or probationary employee must make written application for leave without pay. The request must include the reasons for the leave. All requests

will be submitted to the Executive Director through the employee's supervisor. The Executive Director will decide if such leave without pay will be granted. The Executive Director will notify the supervisor if the leave without pay is granted. The approval must be in writing and must specify the date the employee is to return to work. The supervisor will submit the appropriate paperwork to the Human Resource Management Specialist. If an extension is desired, a written request must be made prior to the expiration of the approved leave without pay. An employee may return to work before the specific date of return if the Executive Director approves a written request from the employee to return early.

If the employee fails to report for work on the specified date of return, the Executive Director may separate the employee in accordance with the Merit Rules as appropriate under the circumstances.

The Executive Director may cancel leave without pay at any time and require the employee to return to work before the specified date of return. The employee must be notified by certified mail and given seven (7) calendar days to return to work. If the employee fails to return as directed, the Executive Director may terminate the employee. Termination of permanent employees must be in accordance with the Merit Rules.

If leave without pay is requested due to illness or injury and is approved, the Executive Director may from time to time require the employee to submit a certificate from the attending physician or medical practitioner which shows sufficient disability to preclude the employee from performing his or her regular duties.

The Merit Rules provide for a special type of leave without pay so that an employee can continue insurance coverage after a reduction-in-force. A leave without pay period in accordance with this rule is not subject to other Merit Rules regarding leave of absence without pay.

If an employee is absent from work without proper authorization, the employee shall not receive pay for such absence. The Executive Director has the authority and responsibility to take appropriate action if fraudulent leave usage or leave abuse is detected.

INVOLUNTARY LEAVE WITH OUTPAY (FURLOUGH) MR 10-15-48

In accordance with the Merit Rules, the Executive Director may place employees on involuntary leave without pay (furlough) when such action is necessitated by a temporary decline or cessation of work activities or to reduce expenditures. No employee shall be placed on involuntary leave without pay for more than a total of one hundred eighty-four (184) hours in any twelve (12) month period.

An employee who is to be placed on such leave will be given prior written notice, advising of the particulars regarding the action, including the dates and times

leave is to begin and end. The written notice will advise whether or not the employee has appeal rights. The Executive Director may make such leave subject to early cancellation or periodic call-backs, to protect public health, safety or property, or to assure continued operation of critical agency functions.

Failure on the part of an employee to return from such leave to his or her previous work status as directed in writing shall be cause for termination. While on involuntary leave without pay (furlough), an employee shall continue to accrue annual and sick leave as though an involuntary leave without pay had not occurred.

An employee is expected to report for work the date specified in the written notice. If the involuntary leave without pay (furlough) is canceled, the employee has three (3) days to report for work or the employee can be terminated (see Abandonment of Position).

LEAVE DUE TO JOB RELATED INJURY OR ILLNESS MR 10-15-49

In accordance with the Merit Rules, the Executive Director shall place an employee who is absent from work because of an illness or injury arising out of, or sustained in the course of, his or her employment with the state on leave without pay for up to one (1) year pursuant to Title 74, O.S., Section 840.7b.

The employee shall submit the following information to the agency:

1. A written request for leave without pay in accordance with this policy, including the approximate date of return to work if it is known; and
2. A physician's medical report indicating the employee is unable to perform the duties of the position they occupy and the nature of the illness or injury. It should include a prediction of approximately when the employee will be able to return to work and perform the duties of the position if it is known; and
3. A completed Form 2, the Worker's Compensation Form.

In accordance with this policy, an employee may request leave without pay at any time regardless of whether the employee;

1. Has exhausted all accumulated sick and annual leave; or
2. Does not elect to use or exhaust accumulated sick and annual leave.

This policy applies to all permanent classified and probationary employees and regular unclassified employees in comparable status. It is not applicable to employees on temporary and other limited term appointments.

At the time the Executive Director places an employee on leave without pay or extends a leave without pay period in accordance with this policy, the Executive Director shall notify the employee in writing of the date to return to work and provide the employee a copy of the Application of First Preference Form.

In cases where an employee is placed on leave without pay in accordance with this policy for less than one (1) year, the employee may request extensions with the understanding that the entitlement to leave without pay expires one (1) year after its starting date. To be entitled to an extension, the employee must submit a written request for an extension and a physician's medical report indicating the employee continues to be unable to perform the duties of the position they occupy.

This request for extension and physician's medical report must be submitted to the agency before the previously scheduled date of return. The physician's medical report should include a prediction of approximately when the employee will be able to return to work and perform the duties of the position.

An employee on leave without pay in accordance with this policy shall provide a physician's medical report to the Executive Director regarding their ability to perform duties of the position at least every three (3) months and at the time of return to work. The Executive Director reserves the right to ask the employee for two (2) different medical reports from two (2) different physicians if they so choose.

Upon becoming medically able to perform the duties of the position, the employee must submit a medical report to the Executive Director within fourteen (14) calendar days regardless of whether the employee is on leave without pay or in another position through first preference.

The Executive Director may cancel or refuse to extend this leave without pay if:

1. The employee fails to report to work when notified to do so; or
2. The employee fails to submit a required physician's medical report;
or
3. A physician's medical report submitted indicates the employee is medically able to perform the duties of his or her original position.

The Executive Director is required to make reasonable accommodation for the employee to return to his or her original position.

The agency is not required to give an employee on leave without pay first preference for vacant positions filled through regular intra-agency transfers, promotion, or demotion of current agency employees.

The employee's right to return to original position shall expire one (1) year after the start of the leave without pay unless;

1. The leave without pay is cancelled, or
2. An extension is requested by the employee and granted by the Executive Director. If an extension is granted, the conditions and provisions will be governed by the guidelines set forth in Leave of Absence without Pay, and not by these guidelines.

If an employee does not continue on leave without pay and has not returned to his or her original position or some other position within the agency within one (1) year from the date of the start of leave without pay, the employee may be terminated.

CORRECTIVE DISCIPLINE

CORRECTIVE DISCIPLINE

EFFECTIVE DATE: 2/1/08

All Conservation Commission employees are required to adhere to work policies and performance standards which are intended to provide a productive work environment for all employees and to ensure that Commission responsibilities are met.

Corrective actions may be taken for violation of any Agency or Merit Rule, regulation, policy, procedure, responsibility, or violation of any civil or criminal law.

If a violation occurs, it is the responsibility of the supervisor to initiate corrective discipline. The progressive steps of corrective discipline may include:

1. Informal discussion;
2. Corrective interview;
3. Oral reprimand or warning;
4. Letter of reprimand;
5. Letter of suspension or demotion
6. Notice of Pretermination
7. Hearing of Pretermination;
8. Letter of termination.

The Human Resource Management Specialist shall be contacted by the supervisor if the corrective discipline extends past the oral reprimand or warning step.

Any of these steps may be repeated or eliminated, except number six (6) and number seven (7), depending on the severity of the problem or violations. These guidelines will be applied on a case by case basis.

Correcting problem behavior at the informal discussing and corrective interview stages is encouraged. Supervisors shall document all efforts made to correct problem behavior and keep open the lines of communication between supervisors and employees. This documentation and communication will provide more accurate information for performance evaluations and disciplinary proceedings.

All corrective discipline steps shall be discussed in private and in strict confidentiality.

Corrective disciplinary actions used by the Conservation Commission, except informal discussions, oral warnings and oral reprimands, shall be reported to the State Merit Protection Commission. All documented disciplinary action shall be sent to the Personnel Officer within five (5) working days. The Human Resource Management Specialist shall process the information, categorize by gender and race, and forward to the Merit Protection Commission within ten (10) working days.

SUSPENSIONS

EFFECTIVE DATE: 2/1/08

SUSPENSION WITHOUT PAY

After providing notice and an opportunity to respond, the Executive Director may suspend a classified permanent employee from duty without pay for any of the reasons set forth in **Causes for Suspension, Involuntary Demotion, and Discharge** or internal investigatory purposes for up to sixty (60) calendar days within any twelve (12) month period. The Executive Director shall notify the employee of any suspension in accordance with **Notice of Appeal Rights Upon Suspension Without Pay, Involuntary Demotion or Termination**. Any permanent classified employee who is suspended may appeal, in writing, to the Merit Protection Commission within fifteen (15) days after receiving such written notification of the suspension.

If an employee is suspended in conjunction with an internal investigation, and if the employee is subsequently cleared, the Conservation Commission shall reinstate the employee to the former position with full rights and without loss of pay or other benefits. The Conservation Commission shall fully clear the employee's records in the custody of the Commission and shall make every reasonable effort to fully clear any such records which are not in the custody of the Commission. If the charges against the employee are confirmed, in whole or in part, a suspension in conjunction with an internal investigation shall not preclude the Conservation Commission from extending the period of suspension up to the maximum length of time or taking other disciplinary action in accordance with Oklahoma law and the Merit Rules.

SUSPENSION WITH PAY

A permanent classified employee may be suspended from duty with pay for internal investigatory purposes or to give a permanent employee the **Required Notice and Opportunity to Respond Prior to Suspension Without Pay, Involuntary Demotion or Termination**. The Executive Director may require the employee to remain available during specified working hours to meet with investigators or other Conservation Commission officials as required.

A notice of suspension with pay, stating the beginning and ending dates and times and specifying any reporting requirements shall be issued to the employee in writing. Any such suspension with pay shall not exceed a total of twenty (20) working days within any twelve (12) month period.

If the employee is cleared, the Conservation Commission shall fully clear the employee's records in the custody of the Conservation Commission and shall make every reasonable effort to fully clear any such records which are not in the custody of the Conservation Commission. If the charges against the employee are confirmed, in whole or in part, a suspension with pay in accordance with this policy shall not preclude this Conservation Commission from taking disciplinary action in accordance with Oklahoma law and the Merit Rules.

CAUSES FOR SUSPENSION WITHOUT PAY, INVOLUNTARY DEMOTION OR TERMINATION

According to the Merit Rules, 455:10-11-14, the following causes for suspension without pay, involuntary demotion or termination of any employee in the classified service are:

Misconduct, insubordination, inefficiency, habitual drunkenness, inability to perform the duties of the position in which employed, willful violation of the Oklahoma Personnel Act or of the rules prescribed by the Office of Personnel Management or by the Oklahoma Merit Protection Commission, conduct unbecoming a public employee, conviction of a crime involving moral turpitude, or any other just cause.

REQUIRED NOTICE AND OPPORTUNITY TO RESPOND PRIOR TO SUSPENSION WITHOUT PAY, INVOLUNTARY DEMOTION OR TERMINATION

Before any permanent employee may be suspended without pay, involuntarily demoted or terminated, the Executive director shall provide the employee with:

1. A written statement of the specific acts or omissions that are the causes, or reasons, for the proposed action; and
2. An explanation of the agency's evidence; and
3. an opportunity to present reasons why the proposed action is improper and should not take place.

Pending completion of this notice and response procedure, an employee may be suspended without warning in accordance with the **Suspension With Pay Policy** to avoid undue disruption of work or to protect the safety of persons or property or for other serious reasons.

NOTICE OF APPEAL RIGHTS UPON SUSPENSION WITHOUT PAY, INVOLUNTARY DEMOTION OR TERMINATION

Either before the effective date or within five (5) calendar days after a permanent classified employee has been suspended without pay, involuntarily demoted or terminated, the Executive Director shall give the employee written notice by certified mail or personal service which shall include:

1. The action taken and its effective date;
2. The specific cause or causes for the action;
3. The laws or rules under which the action was taken;
4. Notice of any applicable rights to an internal agency grievance proceeding;
5. The employee's right of appeal to the Merit Protection Commission and a copy of the MPC's appeal request form; and
6. The time limits for filing an appeal with the Merit Protection Commission.

Copies of this notice shall be sent to the Office of Personnel Management and to the Merit Protection Commission.

ABANDONMENT OF POSITION

EFFECTIVE DATE: 2/1/08

A permanent employee who is absent from duty for three (3) consecutive working days without prior notification or proper authorization shall be deemed to have abandoned and resigned their position effective at the beginning of the first day of unauthorized absence. The separation of the employee will be reported as a

resignation by abandonment of position. It may not be appealed unless an employee shows good cause to the Merit Protection Commission within fifteen (15) calendar days after failure to report, that such action was in fact a discharge. The Executive Director of the Merit Protection Commission may extend this fifteen (15) calendar day limit if an employee demonstrates that they were unaware of unauthorized failure to report for duty as scheduled.

PRETERMINATION HEARING

EFFECTIVE DATE: 2/1/08

In accordance with Senate Bill 553 of the 1st Session of the 42nd Oklahoma Legislature, a pretermination hearing will be held for any Commission permanent classified employee before that employee can be terminated unless the termination is part of a Reduction In Force (RIF). The hearing will be conducted by the Executive Director, Division Director and the Human Resource Management Specialist.

The procedures for the hearing are as follows:

1. A notice of the hearing will be served to the employee at least seven (7) calendar days prior to the hearing;
2. This notice will state all grounds for the termination and will include a general summary of the evidence that supports the grounds for the termination;
3. At least seventy-two (72) hours before each pretermination hearing, the Executive Director shall place in the employee's official personnel file a certificate to be included in the record stating what disciplinary actions have been taken to comply with progressive disciplines prior to the pretermination hearing and proposed termination and further certifying that all mandatory progressive discipline actions as required by statute or rules have been taken before pretermination hearing; provided, said certificate shall not be required where grounds for proposed termination are for committing a criminal offense and/or acts involving moral turpitude.
4. The employee will be advised of his or her rights of representation by legal counsel or a representative of choice;
5. The entire hearing will be recorded by an audible electronic tape recording, and a copy of the tape will be provided to the employee at no cost if the employee appeals to the Oklahoma Merit Protection Commission.

6. This hearing is not a full evidentiary hearing. Formal rules of evidence do not apply. The hearing will be conducted so as to provide information to the Executive Director from which he or she may determine whether reasonable grounds exist to believe that charges against the employee are true, and whether the grounds support the proposed action;
7. Following the hearing, if recommendation for termination is made, recordings of the hearing and all evidence in support thereof, will be reviewed for legal sufficiency by the Executive Director before termination is final;
8. Following this review, the Executive Director will notify the terminated employee of the final decision within ten (10) working days after the hearing;
9. This notice will state all grounds for termination;
10. If the employee appeals and the Oklahoma Merit Protection Commission decides to hear the appeal, no grounds for termination other than those stated in the notices will be considered.

Any individual who willfully and knowingly violates these provisions shall be guilty of a misdemeanor and will be subject to appropriate disciplinary action which may include termination from this Agency.

Any person who believes that their rights under the Oklahoma Personnel Act have been violated may appeal to the Oklahoma Merit Protection Commission for corrective action.

TERMINATION

EFFECTIVE DATE: 2/1/08

TERMINATION OF CLASSIFIED EMPLOYEES

After completing notice and response procedures in accordance with Required Notice and Opportunity to Respond Prior to **Suspension Without Pay, Involuntary Demotion or Termination** and **Notice of Appeal Rights Upon Suspension Without Pay, Involuntary Demotion or Termination**, the Executive Director may terminate any permanent employee for any reason stated in the **Causes For Suspension Without Pay, Involuntary Demotion and Termination**. Within five (5) working days after termination, the employee will be sent written notification of termination which will include the reason(s) for termination and appeal rights.

TERMINATION OF UNCLASSIFIED EMPLOYEES

Unclassified employees serve at the pleasure of the Executive Director and may be terminated at any time.

GRIEVANCE MANAGEMENT AND ANTI-DISCRIMINATION POLICY

GRIEVANCE MANAGEMENT PROCEDURE

EFFECTIVE DATE: 2/1/08

The purpose of the Grievance Management Procedure is to assure all eligible employees a safe and productive work environment through the prompt application of appropriate discipline that is equitable and suitable for the offense considering the circumstances (Merit Rule 455:10-11-1). This procedure is intended to encourage employees to discuss their employment problems with their supervisors in the solution of a grievance which they believe adversely affects their employment or working conditions.

The policy of the Conservation Commission is that a grievance shall be settled as quickly as possible in an impartial manner. The Executive Director encourages employees and supervisors to make a reasonable effort to resolve the complaint informally before the employee files a formal written grievance. Keeping lines of communication open between employees and supervisors is important if our Commission is to have a high degree of efficiency and morale.

GRIEVANCE MANAGER

The Human Resource Management Specialist has been designated as the Agency's Grievance Manager.

GRIEVANCE PROCEDURE INFORMATION

EFFECTIVE DATE: 2/1/08

The grievance procedures will be administered in accordance with the Merit Rules with the exception of the special procedures for complaints of discrimination. These shall be administered as discussed in the following sections.

All records of formal grievances will be kept in the offices of the Human Resource Management Specialist. These records will be kept separate and apart from individual personnel files as is required by law.

DISCRIMINATION PROCEDURE

EFFECTIVE DATE: 2/1/08

In the event that a grievance is based on discrimination because of race, gender, national origin, color, disability, age, religion, or political affiliation, an employee may bypass the informal process and file a formal written grievance charging discrimination directly with the EEO Officer. In all grievances in which discrimination is the basis of the complaint, the EEO Officer will conduct a discreet investigation including interviewing all concerning parties. The EEO Officer will make a written recommendation in an effort to reconcile all parties involved within fourteen (14) calendar days after receiving the grievance. Recommendations are advisory only and the Executive Director retains the authority to decide the grievance. A final decision will be issued by the Executive Director within thirty five (35) calendar days after the grievance is filed with the EEO Officer.

SEXUAL HARASSMENT PROCEDURE

EFFECTIVE DATE: 2/1/08

Any employee who believes they have been the subject of sexual harassment should report the alleged act immediately to the EEO Officer. An investigation of all complaints will be thoroughly reviewed and if a conclusion is reached that sexual harassment has occurred; appropriate disciplinary action will be taken. The Executive Director will make the final decision on the appropriate action to be taken.

VOLUNTARY SEPARATION

PROCEDURE FOR EXITING SERVICE WITH THE COMMISSION

EFFECTIVE DATE: 2/1/08

Upon exiting service with the Conservation Commission, whether through resignation, retirement, or termination, all employees will process out through the Human Resource Management Specialist. This will ensure that the required forms are completed accurately. This procedure must be completed by the end of the employee's last working day.

RETIREMENT

EFFECTIVE DATE: 2/1/08

To insure that all necessary forms are completed accurately and that the service of the Conservation Commission is not interrupted, employees are required to give three (3) months notice prior to retirement to the Human Resource Management Specialist and the Executive Director. The Oklahoma Public Employees Retirement System (OPERS) requires sixty (60) days notice for retirement and this period is contained in this three (3) month time frame. For more information, please go to OPERS website at www.OPERS.state.ok.us.

METHOD OF RESIGNATION

EFFECTIVE DATE: 2/1/08

In accordance with Merit Rules, to resign in good standing, an employee must give their supervisor at least fourteen (14) calendar days prior written notice. The employee may request a shorter period as part of the written notice. Copies of all related correspondence shall be forwarded to the Human Resource Management Specialist who shall record the resignation in good standing (or not) on the appropriate personnel records. Resignation dates, once accepted by the

supervisor, cannot be changed unless approved by the Executive Director. Retirement forms filed by employees with OPERS shall not be construed as a written notice of resignation.

REQUIRED RESIGNATION

EFFECTIVE DATE: 2/1/08

A classified employee must resign prior to participating in political activity described in the constitution or laws of the state of Oklahoma or be subject to penalty for violation of the Oklahoma Personnel Act.

Executive Order 2012-01

I, Mary Fallin, governor of the State of Oklahoma, by the authority vested in me pursuant to Sections 1 and 2 of Article VI of the Oklahoma Constitution, hereby direct and order as follows:

Title 63 of the Oklahoma Statutes, Section 1-1523 prohibits smoking in all public places, in any indoor workplace, and all vehicles owned by the State of Oklahoma and all of its agencies and instrumentalities.

The Oklahoma Legislature, at 63 O.S. § 1-1515 (B), has found that the breathing secondhand smoke causes disease, including lung cancer in healthy non-smokers; breathing secondhand smoke causes respiratory infection, decreased respiratory function, bronchoconstriction and bronchospasm. The population at most risk are the elderly, children, people with cardiovascular disease, and people with impaired respirator function, asthmatics, and those with obstructive airway disease.

The U.S. Surgeon General has issued a report stating that there is no risk-free level of exposure to second hand smoke, which has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer.

The United State Department of health and Human Services, Centers for Disease control and Prevention has found that the use of smokeless tobacco is known to be a cause of cancer and increases the risk of developing cancer of the oral cavity; the use of smokeless tobacco is associated with leukoplakia, gum disease and tooth decay; and the use of smokeless tobacco during pregnancy increases the risk of preeclampsia, premature birth and low birth weight.

The use of any tobacco product shall be prohibited on any and all properties owned, leased or contracted for use by the State of Oklahoma, including but not limited to all buildings, land and vehicles owned, leased or contracted for use by agencies or instrumentalities of the State of Oklahoma.

The Executive Order shall be distributed to all members of the Governor's Executive Cabinet and the chief executives of all state agencies, who shall cause the provisions of this order to be implemented by all appropriate officials and agencies of state government. Implementation shall be achieved no later than six (6) months from the date of this order. The Oklahoma State Department of Health (OSDH) and Tobacco Settlement Endowment Trust (TSET) will provide assistance to state agencies for implementing this order.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 6th day of February, 2012.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Signed by Mary Fallin

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