

District Attorneys Council Employee Handbook

As Revised August 2022



Policies and Procedures

Greetings DAC Employee!

I am pleased to introduce the Oklahoma District Attorneys Council Employee Handbook. The Handbook was created through a collaborative effort by our staff and details the requirements and expectations for employee conduct and performance.

Through our various roles and programs at the District Attorneys Council (DAC), we lend support to the elected District Attorneys and their offices, as well as to victims and victim services professionals, while also serving the people of Oklahoma. In doing this, we recognize the importance of professionalism from the entire staff at the DAC. This Handbook demonstrates what is expected of our employees and aligns with our core values of justice, integrity and service.

Sincerely,

Kathryn Boyle Brewer
Executive Coordinator

TO ALL DISTRICT ATTORNEY COUNCIL EMPLOYEES:

This handbook has been prepared to inform you of the agency's history, structure, procedures, and policies. The terms and policies contained in this Handbook do not constitute and should not be construed, as a contract of employment or a promise of employment. If you have questions about any of the provisions covered in this handbook, contact your supervisor for additional information.

The Executive Coordinator reserves the right to change the terms of this handbook at any time and without notice.

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A HISTORY OF OUR AGENCY

CREATION

In 1965, the office of District Attorney was created by the Legislature. Twenty-seven districts, ranging in size from one to five counties, were formed and beginning in 1966, the voters of each district were empowered to elect their District Attorney (DA) every four years. Prior to the creation of the District Attorney system, prosecutions were handled by County Attorneys elected by the voters of each of the 77 counties. The move to consolidate the prosecution system into 27 districts was indicative of a public policy toward more centralized and efficient administration of the functions of the District Attorneys' offices. The District Attorneys and the Legislature saw a need to centralize the administrative functions of statewide prosecution and began a program of change in 1970, which included assigning and moving the payroll administration for all District Attorney employees to the Attorney General's Office. In 1976, the District Attorneys Training Coordination Council (DATCC) was created to perform the payroll function and was given additional powers to strengthen the criminal justice system through education, training, and technical support.

GROWTH

In 1980, Oklahoma's District Attorneys and other concerned groups began a campaign to pass legislation that would provide compensation and meaningful services for the victims of violent crime. The Legislature agreed that such a program was long overdue and passed the Victims of Violent Crime Act in 1981. The Act provided that an Oklahoma Crime Victims Compensation Board be formed and named the DATCC as the agency to provide administrative services to the Board. During the same campaign, funding was provided to 18 of the 27 districts to employ Victim Witness Coordinators, whose primary duties are to provide assistance to victims and witnesses as they encounter the unfamiliar and often intimidating judicial system. Later, a federal grant program provided funding for additional Victim Witness Coordinators in the districts that had been denied state funding. In the mid 1980's, all 27 districts received state appropriations for one Victim Witness Coordinator.

Another part of the long-term plan for the prosecution system was to remove the burden of funding the maintenance and operation expenses of the prosecution system from the individual counties and to centralize the administrative functions of a fully state funded system. The gradual implementation of this plan required additional staff at the DATCC office to handle the budgeting, claims processing, state insurance, and retirement administration as the prosecution system came under the umbrella of state fiscal affairs. The changeover was complete in January 1983, when the Legislature provided full state funding for the system and placed all District Attorney employees in the unclassified service of the state.

When the DATCC was created in 1976, the Oklahoma District Attorneys Association (ODAA) had been responsible for administration of federal funds available through the Law Enforcement Assistance Administration. The 1976 legislation named the DATCC as the successor agency to administer this program and authorized them to administer any future grants, gifts, and other funds. Because of the experience and expertise developed by the ODAA and the DATCC, the Governor designated this agency to administer the federal funds available in 1985 under the Justice Assistance Act and the Victims of Crime Act. In that same year, the name of our agency was changed to the District Attorneys Council (DAC).

TODAY

When the Legislature created the DAC, it charged the Council with the duty to recommend new legislation for the benefit of the prosecution system. The Legislature has interpreted this provision broadly and relies heavily on the DAC staff for timely data, information, advice, and bill drafting. With each legislative session, the DAC faces new and challenging responsibilities.

Since 1986, all Oklahoma lawyers must receive twelve hours of continuing legal education (CLE), and with a 2019 amendment, attorneys must now complete at least two hours of ethics training instead of one. A 1988 Act requires Victim Witness Coordinators to receive twelve hours of annual in-service training. Additionally, each calendar year every active full-time peace officer, certified by the Council on Law Enforcement Education and Training (CLEET) shall complete a minimum of twenty-five hours of CLEET approved continuing law enforcement training which shall include two hours on mental health issues, and every reserve certified peace officer must complete a minimum of eight hours of CLEET approved training which shall include one hour on mental health issues. Effective November 1, 2019, all certified peace officers must complete appropriate continuing law enforcement training regarding the policies and protocols for responding to sexual assault calls, guidelines for the collection and maintenance of sexual assault kits, and trauma-informed sexual assault response and intervention on a regular basis. The DAC is charged with offering sufficient training opportunities to state prosecution personnel to meet these requirements. Additionally, the DAC provides legal and informational publications throughout the year.

Six District Attorneys contract with the Department of Human Services (DHS) for child support enforcement. DHS relies on the DAC Child Support Liaison to assist in the administration of these cooperative agreements for child support enforcement.

The DAC Finance Division processes payroll and benefits for all employees in the District Attorney System and processes the payroll and maintenance claims for the Child Support Enforcement Offices. The Finance Division continues to take on more challenges resulting from new programs mandated by the Legislature, including all travel reimbursement for the system and assisting with the majority of all employee and witness air travel arrangements for both the DAC and the districts. They are also responsible for budgeting and administering over \$131 million, including grant money, victims' funds, and prosecution funds.

In 1995, the need for computer services increased and the DAC obtained federal funds to computerize the finance functions of the office and automate transmission of data to the Oklahoma State Bureau of Investigation (OSBI). In 1998, the District Attorneys agreed to pool resources and seek additional funds to create a statewide network and case management system.

In the Victims Services Division, collections have grown from \$118,623 in the first year of operation to over \$4 million. Awards to victims of violent crime have grown from \$58,740 to over \$5 million during the same period. In 1995, the DAC Executive Coordinator transferred the duties of the Victims of Crime Act (VOCA) administration to the Victims Division. In 2021, the DAC Executive Coordinator transferred the duties of the VOCA administration to the Federal Grants Division.

The number of programs administered by the Grants Division has expanded to sixteen. To ensure compliance with accounting and reporting standards and to facilitate coordination between the federal funding sources and the sub grantees, the DAC has increased field monitoring efforts within the office.

THE ORGANIZATION AND STRUCTURE OF THE COUNCIL

DISTRICT ATTORNEYS COUNCIL

To oversee the operations of the DAC office, the District Attorneys Council was created. The Council consists of five members and is required to meet at least four times annually. Four of the members are District Attorneys and the fifth is the Attorney General or his or her designee. One of the District Attorney members is appointed by the Oklahoma Bar Association and another by the Court of Criminal Appeals, serving for staggered three-year terms. The other two District Attorneys serve overlapping two-year terms, first as the President-Elect of the Oklahoma District Attorneys Association (ODAA) and then as the Association's President. The ODAA officers are elected annually in July.

EXECUTIVE COORDINATOR

The Executive Coordinator is appointed by, and serves at the pleasure of, the District Attorneys Council. To hold this position, the person must be licensed to practice law in Oklahoma and have been a prosecutor for at least three years prior to appointment. The Executive Coordinator is responsible for the operations of the DAC office and employees and serves as the liaison between the state prosecution system and the Legislature. The Coordinator also serves on a number of state boards and committees as required by statute or special appointment.

ASSISTANT EXECUTIVE COORDINATOR

The Assistant Executive Coordinator is selected by, and serves at the pleasure of, the Executive Coordinator. This position serves as a liaison between the District Attorneys Council and the Legislature and is the primary position for drafting and analysis of legislation and coordinating training for prosecutors. The Assistant Executive Coordinator is the deputy of the Executive Coordinator and is the primary administrative authority in the office in the absence of the Executive Coordinator.

OPERATIONS OF THE COUNCIL

The operations of the DAC are divided into seven primary divisions: (1) Executive Division; (2) Finance Division; (3) Information Technology Division; (4) Victims Services Division; (5) Grants Division; (6) Training and Outreach Division; and (7) Uninsured Vehicle Enforcement Diversion (UVED) Program. The structure and functions are described in the following pages.

EXECUTIVE DIVISION handles the following functions: (1) Office administration; (2) Legislative liaison; (3) General liaison role with District Attorneys and their employees; (4) Legal research and resources; (5) Child support liaison; (6) HR and compliance issues.

FINANCE DIVISION executes all financial activities between the District Attorneys' system and the Office of Management and Enterprise Services (OMES), Oklahoma State Treasurer's office, and other state agencies. It also handles all personnel transactions between the District Attorneys' system and OMES and coordinates the state employee benefits for the DAC and the DA system.

INFORMATION TECHNOLOGY DIVISION is responsible for planning, managing, and directing technology initiatives in support of the DAC's strategic and operational goals. IT provides the council a diverse set of technology services, including Helpdesk Support, Network Security and Monitoring, Data Center Management, Cloud Service Maintenance, Software Development and

Support, Database Administration and Support, and IT Governance and Compliance for the DAC and statewide prosecutor offices.

VICTIM SERVICES DIVISION administers the Victims Compensation Fund and the Sexual Assault Examination Fund. This division also acts as a liaison between state government and Tribal crime victims, and as liaison between the Council, the Crime Victims Compensation Board.

FEDERAL GRANTS DIVISION administers eighteen federal grant funds passed through the DAC from the United States Department of Justice (DOJ). In addition, this division acts as liaison between the Department of Justice, the Council, and the following grant boards: JAG Board, VOCA Board, CESF Board, VAWA/SASP Board, RSAT Board, CJIS Task Force and the NFSIA Task Force. The fifteen federal grants are as follows:

Justice Assistance Grant (JAG) - Created to improve the criminal justice system with specific emphasis on drug-related and violent crimes, and it provides Oklahoma with the flexibility to prioritize and place justice funds where needed most.

- JAG Local Law Enforcement (JAG - LLE, a subpart of JAG) - Through the JAG-LLE Program, funding is made available to units of local law enforcement and tribal governments for the purchase of equipment that is \$10,000 or less.

Elder Multi-Disciplinary Team (E-MDT) - Created for the development and/or enhancement of support for elder abuse MDTs that can better identify and respond to older adults who experience financial exploitation and other forms of elder abuse.

National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) - Created to improve the completeness, automation, and transmittal of records to state and federal systems used by the NICS. Such records include criminal history records, records of felony convictions, warrants, records of protective orders, convictions for misdemeanors involving domestic violence and stalking, drug arrests and convictions, records of mental health adjudications, and others that may disqualify an individual from possessing or receiving a firearm under federal law.

National Criminal History Improvement Program (NCHIP) - Created to assist states in meeting various evolving federal and state requirements regarding criminal histories and related records. Funding is provided to improve the quality, timeliness, and accessibility of criminal history and related records.

National Forensic Science Improvement Act/Coverdell, Formula (NFSIA) - Created to improve the quality of forensic science services for the criminal justice system and to reduce the backlog of forensic evidence in criminal justice cases.

Project Safe Neighborhood (PSN) - The purpose is to create and foster safer neighborhoods through a sustained reduction in violent crime, including, but not limited to, addressing criminal gangs and the felonious possession and use of firearms. There are three PSN grants are administered through a unified approach led by the three U.S. Attorneys in Oklahoma (Western, Eastern, and Northern).

Residential Substance Abuse Treatment (RSAT) - Created to assist states and units of local government in developing and implementing residential substance abuse treatment programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.

Rural Domestic Violence, Sexual Assault, Dating Violence, Stalking Grant (Rural) - The purpose of the grant is to enhance the safety of rural victims of sexual assault, domestic violence, dating violence, and stalking by supporting projects uniquely designed to address and prevent these crimes in rural areas.

Sexual Assault Services Program (SASP) - The funds will support the establishment, maintenance, and expansion of sexual assault services by non-governmental victim services programs to assist those victimized by sexual assault.

Violence Against Women Act (VAWA) - The purpose of the S.T.O.P. (Services-Training-Officers-Prosecutors) Violence Against Women Grant Program is to develop and strengthen the criminal justice system's response to violence against women and to support and enhance services for victims. It encourages victim service providers, prosecutors, law enforcement, and the courts to implement coordinated multidisciplinary approaches to address domestic violence, sexual assault, and stalking.

Victims of Crime Act (VOCA) - Created to provide direct services to victims of crime. Services are defined as those efforts that (1) respond to the emotional and physical needs of crime victims; (2) assist primary and secondary victims of crime to stabilize their lives after victimization; (3) assist victims to understand and participate in the criminal justice system; and (4) provide victims of crime with a measure of safety and security.

TRAINING AND OUTREACH DIVISION prepares and offers general and specialized CLE training courses, seminars, and webinars to prosecutors in Oklahoma. Investigators, key personnel and victim service providers are also provided opportunities to satisfy training requirements. The division administers three federal grants: (1) The Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, and Stalking Grant (ICJR) is responsible for the coordination and training of Coordinated Community Response Teams (CCR) and Sexual Assault Response Teams (SART) throughout the state. These teams consist of prosecutors, law enforcement, court personnel, victim service providers, first responders, medical personnel, and Batterers Intervention Program providers with the objective to address changes within the criminal justice system and the community that they serve. (2) The Victim Assistance Discretionary Grant Training Program for VOCA Victim Assistance Grantees offers specialized training and technical assistance for victim service providers in the state of Oklahoma. All training is designed to improve the quality of services offered to crime victims. (3) The Addressing the Needs of Juvenile Prosecutors grant is in place to assist with the administering, managing, and overseeing the training, education, and professional development needs of prosecutors and their support staff. This funding allows the DAC to provide training and professional development and develop resources needed to ensure that juvenile prosecutors have access to information that addresses the unique framework of the juvenile court. This program also addresses the need for more training and resources dedicated to familiarizing attorneys with special procedures and challenges that arise with juvenile prosecution.

UNINSURED VEHICLE ENFORCEMENT DIVERSION (UVED) PROGRAM is a state-wide initiative aimed at reducing the number of uninsured vehicles on Oklahoma roadways by diverting cases of insurance non-compliance away from the Court system. Utilizing license plate reading cameras to locate uninsured vehicles operating on Oklahoma roadways, the UVED Program notifies citizens of the potential for charges before law enforcement intervenes. Individuals enrolling in the UVED Program pay a fee, acquire liability coverage, and agree to maintain that coverage for a period of two years.

PERSONNEL PROCEDURES AND POLICIES

YOUR EMPLOYMENT

1.0 EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION POLICY

1.0.1 Discrimination and Harassment

The District Attorneys Council is an equal opportunity employer, and it is our policy not to discriminate or permit harassment in any of its employment practices or personnel actions on the basis of race, color, religion, political affiliation, sex, veteran status, national origin, age, genetic information, gender identity, sexual orientation, or disability, unless the accommodation for the disability would impose an undue hardship on the operation of the agency. The DAC strives to create and maintain an environment where all individuals are treated with dignity, decency, respect, and an equal opportunity to apply and advance in jobs. To achieve this goal, the DAC has created a [Non-Discrimination and Anti-Harassment Handbook](#) to assist employees in understanding what is unlawful and prohibited conduct. Additionally, it outlines procedures for reporting violations if you or another employee is a victim of unlawful discrimination or harassment.

If you believe you or another employee has been the victim of unlawful discrimination, contact a supervisor, the Executive Coordinator, or a DAC human resource officer immediately. The DAC strictly adheres to Oklahoma Whistleblower Act and no retaliation of any kind will occur because you have, in good faith, reported an incident, participated in an investigation of a claim, or provided information as a witness in a suspected discrimination.

In addition to this *Handbook*, the *District Attorneys Council Non-Discrimination/Anti-Harassment Handbook* has been created to educate DAC employees on harassment, discrimination, and bullying. Additionally, it outlines the DAC's policies and procedures if an employee believes they are a victim of such behavior. To access all Employee related handbooks, please click [HERE](#).

1.0.2 Violence in the Workplace

It is the policy of the DAC to promote a safe and secure environment and is committed to working with its employees to maintain a workplace free from violence, threats of violence, harassment, intimidation, bullying, and other disruptive behavior. Such behavior in our workplace will not be tolerated and individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both. Such behavior can include:

- Physical acts such as pushing, shoving, or any other unwanted physical contact to a person. It can also include damage to a person's work area or property;
- Oral or written acts such as slandering or ridiculing a person or their family, insulting or humiliating name calling, and abusive and offensive remarks;
- Gestures such as non-verbal threatening gestures that communicate a direct or indirect threat of physical harm; and

- Power acts such as making excessive demands, assigning work that is impossible to perform or unnecessary, intruding or invading an employee's personal life, unjustly excluding an employee in work-related activities.

We need your cooperation to implement this policy effectively and maintain a safe working environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. All reports of incidents will be taken seriously and will be dealt with appropriately. If you observe or experience such behavior by anyone while at work, or observe or experience this behavior by an agency employee at any time or place, report it immediately to a supervisor, the Executive Coordinator, or human resource officer. Supervisors who receive such reports should seek advice from the Executive Coordinator regarding investigating the incident and initiating appropriate action. Retaliation or attempted retaliation toward anyone reporting such incidents is strictly prohibited and will result in severe sanctions up to and including termination.

Under [74 O.S. § 840-2.10a](#), State agencies shall provide or contract to provide, through the Employee Assistance Program (EAP), debriefing and counseling services for state employees who are involved in, witness or are otherwise exposed to a violent or traumatic event in the workplace (see Section 5.1 for more information on the EAP). State employees who are affected by such events shall be encouraged to participate in debriefing or counseling services and paid administrative leave shall be provided; however, employees shall have the option to refuse services offered. The Director of OMES shall promulgate rules to implement the provisions of this section that, at a minimum, shall specify the types of events which shall qualify state employees for debriefing and counseling services.

1.0.3 Americans with Disabilities Act (ADA)

Title I of the Americans with Disabilities Act (ADA) requires government employers to provide reasonable accommodation to qualified applicants and employees with a disability unless the employer can demonstrate that doing so creates an undue hardship to the employer or poses a direct threat to the safety of the employee or others in the workplace. To read more about employees' rights under the ADA, go to the DAC's [Non-Discrimination and Anti-Harassment Handbook](#).

1.0.4 Communication with Persons with Limited English Proficiency

The District Attorneys Council (DAC) will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in the services available through the DAC. To ensure meaningful communication with LEP individuals, the DAC has adopted a policy and procedure handbook. Please click [HERE](#) or a hard copy can be provided to you.

1.1 RESPONSIBILITIES OF EMPLOYEES

1.1.1 Confidential Records / Information

Employees at the DAC routinely deal with information that is deemed confidential including personal information, law enforcement reports and records, financial information, and medical records. Employees and non-employees are prohibited from accessing or viewing these records for any reason other than the performance of lawfully assigned duties. See the [DAC IT Security Policy](#) for more information regarding

employees' responsibilities at the DAC. The unauthorized access or improper disclosure of confidential information may result in disciplinary action, up to and including discharge from employment.

DAC employees are required to sign a *Non-Disclosure of Confidential or Private Information Agreement* and the time of their employment at the DAC. If you have not yet filled one out and signed it, please click on [HERE](#) to download the Agreement. Once you have read and signed it, please return it to a Human Resource Officer.

Home addresses, home telephone numbers, social security numbers, and information related to personal electronic communication devices of current and former state employees shall not be open to public inspection or disclosure without written permission from the current or former state employees or without an order from a court of competent jurisdiction. See Oklahoma Personnel Act, [74 O.S. § 840-2.11](#). Employees at the DAC should consult the Records Disposition Schedule prior to discarding any personnel, financial, medical, legal, or electronic records. Contact your immediate supervisor or Executive Coordinator for specific details.

1.1.2 Code of Ethics/Conduct of Employees

All DAC employees are expected to conduct themselves with integrity and comply with the DAC Employee Handbook and all state/federal laws, rules, and regulations. DAC employees are expected to devote full-time attention and effort to their responsibilities during assigned work hours, and behave in an appropriate and professional manner while representing the agency.

Effective July 1, 2016, all state officers who are elected or subject to retention to judicial office are the only individuals required to file financial disclosure statements. However, the Oklahoma Constitution requires the Oklahoma Ethics Commission to set rules of ethical conduct for all state officers and employees. No state employee shall have any interest, financial or otherwise, or engage in any business or transaction of any nature that is in substantial conflict with the proper discharge of his or her duties or with the public interest. Before engaging in any activity that you think might be in conflict with your employment as a state employee, you should discuss it with your supervisor.

1.1.3 DAC Information Security and Social Media Policy and Standards

The DAC IT Security Policy also includes a social networking and social media policy that all state agencies and employees are required to follow. See [74 O.S. § 840-8.1\(A\)](#).

1.1.4 Use of State Equipment, Supplies, and Services

State law prohibits the use of the DAC equipment, supplies, or other state resources for personal benefit. Office desks, file cabinets, computers, and other furniture and equipment provided by the State are not private. You must be sure there is clear access at all times to any materials that may be needed to conduct agency business.

1.1.5 Secondary Employment

An employee's primary employment duties and responsibilities are to the DAC. Employees shall not engage in secondary employment that interferes with their ability to effectively perform their obligations at work, creates a conflict of interest, or is contrary to law.

1.1.6 Compliance with State Income Tax Laws

Failure to comply with State Income Tax laws will result in disciplinary action. State law allows an employee the opportunity to take corrective action, make payment plans arrangements, or other actions agreed upon with the Oklahoma Tax Commission (OTC). A state employee who has entered into and is abiding by a payment agreement, or who has requested relief as an innocent spouse which is pending or has been granted, shall be deemed to be in compliance with the state income tax laws for purposes of the employee's employment with a state agency.

If the Tax Commission notifies a state employee who is not in compliance with the income tax laws of this state and the employee does not respond or fails to come into compliance with the income tax laws of this state or after the Tax Commission determines that every reasonable effort has been made to assist the state employee to come into compliance with the income tax laws of this state, the Tax Commission shall notify the appointing authority, which shall commence disciplinary action with respect to the employee and shall notify the employee of the reason for such action. The employee may have a certain percentage of wages garnished by the Tax Commission until the employee is in compliance with the income tax laws. If a state employee who has been previously reported by the Tax Commission to a state agency as being out of compliance comes into compliance, the Tax Commission shall immediately notify the appointing authority. Neither a state agency nor an appointing authority shall be held liable for any action with respect to a state employee pursuant to the provisions of this section. Please contact your immediate supervisor or Executive Coordinator if you have questions or an issue with this matter. See [68 O.S. § 238.2](#).

1.1.7 Training

The Statewide Learning Services (SLS) of the Human Capital Management Division of the Office of Management & Enterprise Services offers a variety of training programs to state employees, and other private and public training programs also conduct valuable training opportunities. Supervisor approval is needed before attending training. Contact your supervisor for more information on available training programs.

1.2 STATUS OF EMPLOYEES AND DISCIPLINARY PROCEDURES

The categories of classified and unclassified employees no longer exist, and have been replaced with the category of "state employees". This new category includes every employee in state service, with few exceptions. Under this new rule, the OMES - Civil Service Division (CSD) has developed Progressive Discipline Standards and a State Employee Dispute Resolution Program for state agencies to follow. Certain levels of discipline allow an employee to petition CSD's Employee Dispute Resolution Program if the employee feels that the discipline was unwarranted. DAC has adopted the CSD Progressive Discipline standards, which are intended to provide a productive work environment for all employees and to ensure that the DAC agency responsibilities are met. To review DAC's Progressive Discipline Standards, please click [HERE](#) or go to the DART Board + Employee Info + Benefits Guides, Policies, and Employee Perks.

The Human Capital Management Division will serve as the chief administrator for all whistleblower complaints. The program will allow a state employee to confidentially report claims of agency or employee mismanagement as well as criminal misuses of state funds or

property. The Oklahoma Attorney General's Office shall have the authority to investigate and determine whether to prosecute a whistleblower claim and shall have the power to refer such claims to the appropriate district attorney. To access more information on CSD's Employee Dispute Resolution program click [HERE](#).

1.3 PERFORMANCE MANAGEMENT PROCESS (PMP) - EMPLOYEE EVALUATIONS

A performance evaluation is a method for a supervisor to inform employees of the expectations of the employee's job, the employee's progress, to encourage positive performance, and to help ensure an employee's success. OMES Rules require your supervisor to perform the evaluation, which is called the Performance Management Process (PMP). This evaluation is a continuous process of planning, coaching, and reviewing employee performance. Evaluations may be considered in decisions regarding salary advancements, promotions, demotions, dismissals, and serve as a counseling device. Contact your supervisor if you have questions about the evaluation process. To learn more about the PMP, click [HERE](#).

1.4 EMPLOYMENT OF RELATIVES

The DAC does not prohibit employment of a relative of an employee, provided neither relative participates in making recommendations or decisions affecting the appointment, retention, promotion, demotion, salary, or can afford the other preferential treatment. See [21 O.S. § 481](#).

1.5 Drug-Free and Alcohol-Free Workplace Policy

1.5.1 Guidelines

The DAC maintains a drug-free workplace. DAC employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be impaired or under the influence of controlled substances, including medical marijuana, or alcohol during work hours and the workplace. Workplace includes operating a vehicle during work hours or on state property.

The legal use of prescribed drugs is permitted in the workplace only if the prescribed drug does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger the employee or other individuals in the workplace. Prescribed drugs do not include marijuana that is consumed and possessed legally with a valid medical marijuana license.

Any employee found to have violated this prohibition may be subject to disciplinary action, up to and including dismissal, or be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as a condition of continued employment. The imposition of such disciplinary action or requirement to satisfactorily participate in a drug abuse assistance/rehabilitation program is premised solely upon a violation of this prohibition and does not require a criminal conviction.

Under the Drug-Free Workplace Act, an employee must notify their employer if he or she is convicted for a violation of a criminal drug statute occurring in the workplace and must do so no later than five (5) days after the conviction.

1.5.2 Definitions

Alcohol is an intoxicating beverage or liquor.

Controlled substance is a Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.812), and as further defined by regulations at 21 CFR 1300.11 through 1300.15. Controlled substances include but are not limited to marijuana, including marijuana consumed or possessed with a medical marijuana license; cocaine; opiates; phencyclidine (PCP); and amphetamines.

Conviction is a finding of guilt (including a plea of *nolo contendere*) and/or imposition of sentence, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

Medical marijuana license is issued by the Oklahoma State Department of Health, and it allows a person with such a license to consume and possess marijuana legally within the State of Oklahoma subject to statutory restrictions and conditions. Only individuals with a medical marijuana license may legally use and possess marijuana in the State of Oklahoma.

Positive Drug Test for Marijuana Components or Metabolites means a result that is at or above the cutoff concentration level established by the U.S. Department of Transportation or Oklahoma law regarding being under the influence, whichever is lower.

Public institution means any entity established or controlled by the federal government, state government, or a local government or municipality including, but not limited to, institutions of higher education or related research institutions;

Safety Sensitive means “any job that includes tasks or duties that the employer reasonable believe could affect the safety and health of the employee performing the task or others including, but not limited to work with hazardous materials, operation of vehicles or machinery, maintenance of equipment, work utilities, preparing or handling food or medicine, carrying a firearm, firefighting duties, patient care, child-care, and others.

Workplace includes any and all properties owned or leased by the state including buildings, land, parking lots, vehicles and any and all sites where DAC employees conduct official state business or oversee and administer programs on behalf of the DAC or the State of Oklahoma.

1.5.3 Medical Marijuana

Unless otherwise required by federal law or required to obtain federal funding:

1. No employer may refuse to hire, discipline, discharge or otherwise penalize an applicant or employee solely on the basis of such applicant's or employee's status as a medical marijuana licensee; and
2. No employer may refuse to hire, discipline, discharge or otherwise penalize an applicant or employee solely on the basis of a positive test for marijuana components or metabolites, unless:
 - The applicant or employee is not in possession of a valid medical marijuana license;
 - The licensee possesses, consumes or is under the influence of medical marijuana or medical marijuana product while at the place of employment or during the fulfillment of employment obligations; or

- The position is one involving safety-sensitive job duties, as such term is defined above under **Definitions**. See [63 O.S. § 427.8](#)

Employees within the IT Division, and anyone who uses a state vehicle are determined to be as “safety sensitive” by the Executive Coordinator.

1.5.4 Alcohol and Drug Testing

DAC employees may be required to submit to a post-accident alcohol or drug test when they cause or contribute to accidents that seriously damage a vehicle, machinery, equipment or property or that results in an injury to themselves or another employee requiring offsite medical attention. This policy applies to an employee that is injured away from the workplace and performing DAC job duties (e.g., driving to a meeting, training, or other related work activity, etc.).

All costs of required alcohol and drug testing will be paid by the DAC, and the time during which the employee is being transported and tested will be considered work time. A positive drug or alcohol test following a work-related injury may prevent the employee from being eligible for workers’ compensation.

The DAC reserves the right to use any testing method or collection procedure authorized by the State Board of Health or permitted by [40 O.S. § 557](#). Refusal to undergo testing or a positive test may result in discipline up to and including termination. Employees will have the opportunity to explain a positive test in confidence.

Records of alcohol and drug testing results are the property of the DAC, and it is the position of the DAC that such records are confidential and not subject to release under the Open Records Act. The DAC will maintain the records as confidential with the following statutory exceptions:

- By request of the employee, the DAC will make the records available for inspection and copying by the employee.
- In a proceeding before a court or administrative agency, the DAC or the employee may admit the records as evidence if either is a named party to the proceeding.
- In compliance, with a valid judicial or administrative order.
- For a DAC employee, who requires access in the administration of the Standards for Workplace Drug and Alcohol Testing Act.

1.5.5 Treatment

Employees are encouraged to voluntarily seek treatment for alcohol or drug dependency. Evaluation and assessment services performed by the Employee Assistance Program are free and confidential. The EAP can also provide referrals to appropriate resources. Successful completion of a voluntary rehabilitation or treatment program will in no way jeopardize an employee’s job at the DAC; however, seeking assistance from the EAP or a treatment or rehabilitation program will not protect an employee from disciplinary action for violation of this policy.

YOUR DAY AT WORK

2.0 OFFICE HOURS

2.0.1 Workweek Schedule

The following workweek is established for all employees at the DAC.

Beginning time: 12:01 a.m. Sunday

Ending time: 12:00 midnight Saturday

Workweek: Monday through Friday

Work Hours: 40 hours (includes the 2 fifteen minute breaks a day)

Office hours: 8:00 a.m. to 5:00 p.m. Individual employee work schedules are arranged with supervisors to assure office coverage for the full business day.

Upon request by the employee and approval from the supervisor, some flexibility may be provided for individual employee convenience. Additionally, employees may work 8:30 a.m. to 5:00 p.m. or 8:00 a.m. to 4:30 p.m. if breaks are combined as noted below.

Lunch period: Each employee is provided one hour for lunch. Individual schedules should be arranged to assure coverage over the lunch hour. A lunch period for non-exempt employees is mandatory. Employees are not permitted to take their lunch period at the end of the day without supervisory approval.

Breaks: Two fifteen (15) minute breaks are provided, if workload permits, and are counted as work time. These breaks may be taken at any time during the workday, as agreed upon by the supervisor and employee. In the alternative, full-time employees are permitted to combine their fifteen-minute breaks together to be taken at the beginning or end of the workday. This is not an option for part-time employees.

Division supervisors are to determine when employees assigned to their division will take their lunch hour and breaks.

All employees performing telework, must review and sign the DAC Telework Policy. The Telework policy can be found on the [DART Board](#).

2.0.2 Tardiness and Absenteeism

Employees of the DAC are expected to report for work on time. Absenteeism and tardiness is expensive, disruptive, and places an unfair burden on other employees and supervisors. Unsatisfactory attendance and/or continued tardiness will have an adverse effect on any promotional considerations and will also result in disciplinary action, including suspension and discharge.

If you are going to be late or absent for any reason, contact your supervisor per their preferred means of communication (e.g., work phone, cell phone, text, email, etc.) **as soon as possible prior to 8:00 a.m.** Explain why you are going to be absent and when you expect to return to work. It is your responsibility to ensure that proper notification is given to your supervisor. Asking another employee, friend, or relative to give this notification is not considered proper, except under emergency conditions.

Leave is not automatically approved to cover tardiness or absenteeism. If you are unable to be at work, your supervisor will discuss your status with you when you return. If you

fail to give proper notification or your leave is not approved, you will not be paid for that time and may be subject to discipline. Please read section 4 of this Handbook closely, as it discusses time off in greater detail.

2.0.3 Break Time for Nursing Mothers

The Patient Protection and Affordable Care Act amended section 7 of the Fair Labor Standards Act (“FLSA”) requires employers to provide “reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child’s birth each time such employee has need to express the milk.” Employers are also required to provide “a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.” See [29 U.S.C. § 207\(r\)\(1-4\)](#). Please notify your supervisor or HR if you are needing this accommodation.

2.1 BULLETIN BOARD NOTICES

The DAC has an official bulletin board located in the copy room, across from the break room, which is used for government and workplace related notices for employees. An additional bulletin board is located in the breakroom that is provided for wellness and social activity information. Stay current by checking the bulletin boards for new material.

2.2 SAFETY

As a state employee, you have an obligation to conduct yourself in a safe manner. Employees are responsible for being fully acquainted with the DAC’s Emergency Standard Operating Procedures (ESOP) Handbook. The Handbook can be located through this link - [Emergency Standard Operating Procedures](#) - or through our Share network at **S: Emergency Standard Operating Procedures Manual**. Additionally, employees should observe the rules of safety set out below:

- Local and state traffic laws.
- Proper use of any equipment or machinery.
- Responsible behavior in the event of an emergency.
- Familiarity with emergency evacuation procedures and exits in the building.

2.2.1 Work Injuries or Illnesses

If a state employee suffers from an illness or injury, they should notify their supervisor immediately. If the injury or illness is severe or life-threatening, employees should immediately ask for help and/or call 9-1-1. When an injury or illness arises out of and is sustained in the course of his or her employment with the state, the employee may be entitled to Workers’ Compensation. Section 4.3.2 provides more detailed information regarding Workers’ Compensation and your rights.

2.2.2 Evacuation of the Office Building

Emergencies or the threat of emergencies (severe storms, fires, bomb threats, floods, tornadoes, earthquakes, explosions, gas leaks, and civil defense warnings) require immediate action by all employees and visitors. Remember to use the stairs for emergency evacuations; **DO NOT USE THE ELEVATORS!** Panic is a threat to safety. Walk, do not run, to the emergency exits and proceed in an orderly calm fashion.

The DAC has instituted workplace safety protocols in response to the COVID-19 pandemic, and these policies are located in the [DAC Workplace Safety Guide](#). Updates to the Guide and COVID-19 DAC office policies that change, will be provided to employees in writing.

2.3 BUSINESS COMMUNICATIONS

We provide services to District Attorneys and their employees, other agencies, and the general public. As state employees and employees of the District Attorneys Council, we have a special obligation to maintain an attitude of courteous and helpful behavior, whether on the telephone, speaking in person, or communicating with someone in writing. Employees may be temporarily assigned to front desk duties when the need arises and should become familiar with the agency's telephone system. Callers should be treated with the utmost respect and we should do our best to address the caller's issue. If you cannot answer the caller's questions or concerns, try to find another employee who may be able to assist them. All personal use of office telephones should be kept to a minimum and personal long-distance calls shall not be billed to the agency.

2.3.1 Requests for Data on Present and Former Agency Employees

On occasion, we receive requests for information about persons who are working or have worked for the DAC or one of the District Attorney offices. Under the Oklahoma Open Records Act, the public may be given reasonable access to certain personnel data, such as dates of employment, title or position, an employment application of a person who becomes a public official, and any final disciplinary action resulting in loss of pay, suspension, demotion of position, or termination. See [51 O.S. §24A.7](#).

However, home addresses, telephone numbers, social security numbers, and information related to personal electronic communication devices of current and former state employees are not open to public inspection or disclosure without written permission from the current or former state employees or without an order from a court of competent jurisdiction. See [74 O.S. § 840-2.11](#).

All requests for "reference checks" on past or present employment must be referred to our agency's Open Records Act Officer Eric Epplin, Assistant Executive Coordinator for the DAC. Other inquiries, such as a request for information about a large group of employees or mailing lists, should be referred to the Executive Administrative Assistant. If you have a question about what information is required to be released by law, please check with the Open Records Act Officer or the Executive Coordinator.

2.4 TRAVEL AND VEHICLE USE

Contact your supervisor for advance approval for any travel for which expenses will be reimbursed. A Travel Claim form will need to be completed and must be signed by your supervisor before traveling.

2.4.1 In-State Travel Outside the Oklahoma City Area

For all travel outside of Oklahoma City, the Trip Optimizer rules apply and require that the lowest cost be used. The Trip Optimizer Form must be attached to your Travel Claim form. The Finance Division can provide you with the most up-to-date information about the State's reimbursement rates for mileage, lodging, and per diem.

The Trip Optimizer link, instructions, and travel forms are located in the DART Board under [Employee Info/Travel](#).

2.4.2 Out-of-State Travel

For out-of-state travel, all airline reservations must be made by the Finance Clerk assigned to that duty. All appropriate forms associated with out-of-state travel may also be obtained from the Finance Division.

2.4.3 Use of State or Personal Vehicle for DAC Business

If you are required to use a State Vehicle (including a DAC leased vehicle) or must use your personal vehicle for DAC business, please click [HERE](#) to access the DAC TRAVEL AND VEHICLE RESERVATION AND USE POLICY. This policy also includes use of your personal vehicle for DAC business.

Employees should have a copy of the State Verification of Liability Insurance Letter with the Risk Management Division business card attached in their vehicle at all times. To access the letter, click [HERE](#) or obtain a copy from the Finance Division. Although the state may be liable for damages to third parties when employees drive a personal vehicle in an improper manner while on official business, employees are still required by law to have liability insurance. In addition, the state is not liable for physical damage to your vehicle, so employees should protect against that risk by obtaining adequate insurance coverage.

Each employee is expected to perform his or her duties and responsibilities in a way that demonstrates this agency's firm commitment to this policy. Failure to abide by this policy will result in disciplinary action, including, but not limited to, a letter of reprimand, suspension, demotion, or discharge. If a state driver is involved in an accident and is found at fault, Oklahoma Risk Management Rules require a driver to take a defensive driving class within 6 months of an incident. It is the DAC's policy that when any agency personnel are in a state vehicle or on state business in any vehicle, they will adhere to the following conduct:

- **No texting and driving** - DAC employees should avoid using their cell phones or any other devices that might create a diversion while driving. Remember, texting while driving is a violation of Oklahoma law. See [47 O.S. § 11-901](#).
- **Possess a valid driver's license.**
- **Wear a safety belt at all times** - It is the driver's responsibility to ensure everyone riding in a vehicle being driven on state business is buckled up. Further, it is required that every agency employee use seat belts and safety restraints in any other vehicle they may be riding in while on state business and encourage others to do the same.
- **Unauthorized driver** - Do not allow an unauthorized person to drive the vehicle.
- **Passengers** - While in duty status, whether you are using a state-owned vehicle or your own, the transportation of passengers who are neither state employees nor traveling on behalf of the state is prohibited, unless transportation of such passengers is in connection with your official duties.
- **Distracted Driving** - While operating State vehicles or personal vehicles to conduct State business, each employee should devote their full attention to driving and observe all traffic laws to ensure safety of employees, passengers, and other motorists.

- **Intoxicating Substances** - Drivers are prohibited from operating a vehicle under the influence of alcohol, drugs, other intoxicating substances, or combination thereof. This includes any drug or narcotic, prescribed by a doctor or otherwise, that may render a person incapable of safely driving or operating a motor vehicle. See [47 O.S. § 11-902](#). Alcoholic beverages **may not** be transported in state vehicles or in personal vehicles while conducting state business.
- **Smoking** - “Smoking is prohibited in all vehicles owned by the State of Oklahoma and any of its agencies and instrumentalities.” This includes tobacco or marijuana or vape marijuana. See [63 O.S. § 1-1523\(E\)](#).

2.5 PURCHASES FOR THE AGENCY

State law imposes many restrictions on purchasing. Refer all purchase requests to your supervisor. Do not make a commitment for a product or service. All agency purchases must be routed through the DAC Procurement Officer.

2.6 USE OF ELECTRONICS

2.6.1 Cellular Phone Use

The use of a smart device owned by an employee in connection with DAC business is a privilege granted to the employee by the approval of the Executive Coordinator. Before this privilege may be granted, employees must sign the “Bring Your Own Device Agreement” (BYOD) provided by the Finance Division or found in Forms on the DART Board. The policies set out in the BYOD Agreement apply to all state entities and are aimed to protect the integrity of data belonging to the state and to ensure the data remains secure. The DAC reserves the right to revoke this privilege if the employee does not abide by the terms set out in the BYOD Agreement. Excessive use of your cell phone during work hours for personal use may subject you to progressive discipline.

2.6.2 DAC Computer Use

DAC Computer Use

The DAC computers are provided for job related activities only. Software on the DAC computers is the property of the State and should not be copied for personal use. Equipment should not be removed from the office or building without supervisory approval. Whenever possible, utilize systems with portable capabilities when working outside the office.

There are several laptop computers owned by the agency, and the following rules apply to their use:

- Laptops must be assigned through the Division supervisor.
- Laptops should never be left in the passenger compartment of a car - if you have no other option to store them securely, place them in the locked trunk of the vehicle you are driving.
- If traveling by air, laptops should be carried on and never checked as baggage.

Please refer to the [DAC IT Security Policy](#) for further information on computer usage.

2.6.3 Email Use

The DAC email accounts are available for all the DAC employees as a communication tool to facilitate business contact and interaction, and abuse of email for personal use is prohibited. Email communications follow the DAC's Record Destruction Disposition Schedule and are subject to the Open Records Act. Violation of the DAC's email policies and rules will subject employee to corrective discipline.

2.6.4 DART Board and Microsoft Teams Use

The **DART Board** (District Attorney Resources and Training) is an internal network intended for the use of the DAC employees, the DA employees, and other authorized individuals only (interns, temporary employees and certain contract employees may be granted temporary access). All communications, documents, or other information shared on the Dart Board or Microsoft Teams are to be considered business records and may be used as evidence in litigation, audits, and investigations. Employees should have no reasonable expectation of privacy when using the DART Board, Microsoft Teams, or their Instant Messaging (IM) capabilities, and employees should follow the same guidelines set out for internet, email use, and professional business communication provisions in the DAC Employee Handbook.

2.6.5 Internet Use

The Internet has been provided as a tool to help us access information and exchange information to improve our overall work performance. The Web servers that make information available over the internet are the most targeted and attacked host on many organizations' networks. Check with a DAC IT representative before opening suspicious emails, phishing messages, or before downloading any software or computer updates. All Internet traffic is subject to monitoring and abuse of Internet access for personal use is prohibited. Violation of the DAC's Internet policies and rules will subject employee to corrective discipline.

2.6.6 Games

The DAC does not install games on the workstations. DAC employees are not to install or activate games on DAC computing resources.

2.7 MISCELLANEOUS

2.7.1 Housekeeping

A clean work area makes for a more pleasant and safer place to work. All DAC employees are asked to keep the surroundings as neat and orderly as possible. Please ensure that you do not leave food in the refrigerator to spoil or leave dirty dishes in the sink. There is no garbage disposal so leftover food needs to be disposed of in the trashcan before cleaning dishes in the sink.

2.7.2 Smoking and Vaping

Smoking and vaping are prohibited in all areas of the building and parking lot.

2.7.3 Office Parties

By observing special occasions of our co-workers, such as birthdays and retirements, we make our agency a more pleasant place to work; however, it is essential that the DAC's

work not be unduly interrupted. A supervisor's approval must first be obtained before planning a social get together to ensure the arrangements are appropriate for a business office and that a prompt clean-up will be made. No office-wide party will be held unless authorized by the Executive Coordinator.

2.7.4 Mail Service

The DAC is not equipped to handle personal mail or packages. Therefore, you are asked to have your personal mail delivered to your home. The postage meter is for state business use only and it is a violation of state and federal law to use the postage meter for personal business.

2.7.5 Personal Appearance and Demeanor

Employees should dress in attire fitting to the professional business environment of the office. Fridays are generally designated as "casual days" by the Executive Coordinator. Employees may not participate in a "casual day" if they have a meeting or appointment with an individual(s) outside of the DAC. On designated "casual days," employees are permitted to wear nice clean-cut jeans without holes or tears. As is always the case, employees should use discretion in their style of dress. Shorts, sweats, tank tops, and flip-flops are not acceptable at any time, unless expressly permitted for a specific office activity or function. However, the DAC or ODAA T-shirts may be worn on casual days.

2.7.6 Music

Background music may be played in work areas so long as it does not bother other employees. If any employee in the work area indicates that music is too loud or indicates that the music is bothersome, the music will need to be turned down or off, as appropriate. Earphones may be used; however, earphones should never be worn while an employee is working at the front desk or if their use will impact customer service.

PAY AND ADVANCEMENT

3.0 PAYROLL

All full-time employees are paid monthly. Each pay period extends from the first day of the month through the last day of the month. Pay for part of a month is computed as follows:

- $\text{Workdays in a month} \times 8 = \text{Possible work hours for month.}$
- $\text{Hours actually on payroll} \times \text{Monthly Rate} = \text{Pay Possible Work Hours for Month.}$

3.0.1 Supplemental Payroll - Leave Without Pay

Consistent with principles of public accountability in the State of Oklahoma, no employee, regardless of exempt/non-exempt FLSA status, can be paid for time not worked. See [74 O.S. § 840-2.19](#)

Note, **annual and sick leave earned during one pay period shall not be available for use until the beginning of the following pay period.** For example, if an employee starts the month of June with no accumulated annual leave, the employee **will not** have accrued annual leave available to use until July 1. Annual leave may be used for sick leave but sick leave **cannot** be used for annual leave. See Administrative Rule [260:25-15-11\(b\)](#).

If an employee must take time off work and they have no leave time remaining, the employee must apply for Leave Without Pay (see Section 4.3). If the employee is granted Leave Without Pay (LWOP), the employee will not be paid on the main payroll at the end of the month and will be placed on the supplemental payroll. The supplemental payroll is processed on or about the 12th day of every month and covers only actual hours worked by the employee. An employee on LWOP must track all hours worked and ensure the hours are submitted to the DAC payroll officer. An employee will remain on supplemental payroll until 40 hours of combined leave has been **accrued**. Leave is posted on the first day of the month following the month in which leave is accrued.

An employee eligible for holiday leave must be in pay status for either the last regular workday before a holiday or the first such workday after a holiday to be paid for that holiday. Thus, a person whose leave without pay includes the workdays before and after a holiday will not be paid for that holiday. Employees will not receive pay for holidays that fall after their termination date.

3.0.2 Payroll Deductions

A variety of voluntary payroll deductions options are available. Contact the Finance Division for details on deferred compensation and retirement plans. Other deductions, including supplementary health, accident, and life insurance policies and credit union deposits, must be initiated and terminated by contacting the organization receiving payment.

3.0.3 Garnishments

The DAC honors legal garnishments of an employee's wages. Under Oklahoma law, repeated garnishments may be cause for disciplinary action including suspension and discharge. See [14A O.S. § 5-106](#).

3.1 OVER-TIME

Work in excess of 40 hours per week should be the exception and not the rule for all employees. Only those employees whose positions are **non-exempt** under the [Fair Labor Standards Act \(FLSA\), 29 USCA § 201](#), et seq., can accrue over-time hours and are entitled to compensatory time off.

3.1.1 DAC Non-Exempt or Exempt Status

The following tables show a list of positions at DAC and each position's FLSA status:

EXECUTIVE DIVISION

POSITION	STATUS
Executive Coordinator	Exempt
Assistant Executive Coordinator	Exempt
General Counsel/Resource Prosecutor	Exempt
Executive Assistant	Non-exempt

FINANCE DIVISION

POSITION	STATUS
Director of Finance	Exempt
Budget Analyst	Exempt
Accounting Manager	Exempt
HR/Payroll Manager	Exempt
Payroll/Benefits HR Officer	Exempt
Finance Clerk	Non-exempt
Procurement Officer	Non-exempt
File Clerk	Non-exempt

GRANTS DIVISION

POSITION	STATUS
Director of Federal Grants	Exempt
Grants Financial Managers	Exempt
Grants Project Manager	Exempt
Grants Programs Specialist	Non-exempt
Grants Program Assistant	Non-exempt
Accounting Technician	Non-exempt

VICTIMS SERVICES DIVISION

POSITION	STATUS
Director of Victim Services	Exempt
Victims Public Information Officer	Exempt
Accountant	Exempt
State Tribal Crime Victim Liaison/Special Projects Outreach Coordinator	Exempt
Victim Services Clerk	Non-exempt
Sexual Assault Fund Examiner/Restitution Recovery Specialist	Non-exempt

Board Claims Examiner	Non-exempt
File Clerk	Non-exempt
Administrative Claims Examiner	Non-exempt

INFORMATION TECHNOLOGY DIVISION

POSITION	STATUS
IT Director	Exempt
System Engineer	Exempt
System Administrator	Exempt
Database Administrator	Exempt
Applications Support Analyst - Team Lead	Exempt
Applications Support Analyst	Exempt
Technical Support Analyst - Team Lead	Non-exempt
Technical Support Analyst	Non-exempt
Software Developer	Exempt
Software Developer	Exempt
Workstation Support Specialist	Exempt

TRAINING AND OUTREACH DIVISION

POSITION	STATUS
Director of Training and Outreach	Exempt
CCRT/SART Specialist	Exempt
Training and Outreach Specialist	Non-exempt
Training Assistant	Non-exempt

UVED DIVISION

POSITION	STATUS
Program Director/Prosecutor	Exempt
Lead Investigator (full-time)	Non-exempt
Legal Assistant (full-time)	Non-exempt
Team Member (part-time)	Non-exempt

3.1.2 Compensatory Time

The Federal Fair Labor Standards Act provides that a non-exempt employee who works overtime must be compensated by cash payment of an amount one and one-half times the regular rate of pay for such overtime unless the employer and employee agree that such overtime be compensated by compensatory time (comp time) off work. By signing this Handbook, a non-exempt employee is expressly accepting comp time in lieu of receiving cash compensation for overtime work. The employee will earn one and one-half hours for every hour they work overtime in a DAC defined workweek. Accrued compensatory time shall be exhausted **before the granting of any annual leave** for a non-exempt employee except when the employee may lose accrued annual leave. Employees may accrue up to 240 hours of comp time. All compensatory leave earned should be used within 180 days from the month in which the time was accrued. If the comp time is not used, employees are entitled to overtime pay. If a non-exempt employee is unable to use their comp time before it expires or leaves employment with the DAC, the employee is entitled to be paid one and one-half times their regular rate of pay.

It is the policy of this office that non-exempt personnel shall not work in excess of forty (40) hours in a single workweek or exceed 8 hours of actual work time in a given workday unless specifically authorized and with supervisory approval.

Non-exempt employees will be subject to progressive discipline if their workweek exceeds 40 hours and prior written authorization has not been obtained. Such authorization must be in writing and obtained in advance from the employee's immediate Supervisor or in his/her absence, the Executive Coordinator or Assistant Executive Coordinator.

To the extent possible, an adjustment to the employee's work hours in a given workweek (as defined in Section 2.0.1) will be made where the employee has completed forty work hours before the end of the workweek. With the authorization of the employee's supervisor, the employee may be given time off at the end of the workweek to avoid working in excess of forty hours.

Following an emergency declaration, the accumulation limits for compensatory time shall temporarily increase and shall carryover to the end of the fiscal year following the year in which the emergency declaration ended. The emergency declaration ended in 2021; therefore, the increase in comp time carryover ended in July 2022. See [74 O.S. § 840-2.15](#).

As established in Section 2.0.1 of the Handbook, office hours are from 8 a.m. to 5 p.m., Monday through Friday. Employees are provided a 1-hour lunch and two fifteen-minute breaks each day. Employees are permitted to combine their fifteen-minute breaks together to be taken at the beginning or end of the workday. Set out below are guidelines for calculating over-time hours:

- **Vacation, Sick Leave and Holidays** - When counting hours worked within a given week, time spent on vacation, sick leave, enforced leave, or holidays **WILL NOT** be counted as hours during the workweek an employee is off. Such time off must be included in straight-time pay for non-exempt employees, but is not included in computing hours of work for overtime pay. See [29 CFR 778.102](#). For example, employee is off a Monday for a holiday - the employee starts on Tuesday with zero hours for the week.
- **Meal Period (Lunch Break)** - Does not count toward hours worked (i.e., weekly 40-hour period) nor paid time. Any “meal period” of less than 30 consecutive minutes must be paid as hours worked. The employee does not have to leave the premises to be considered a “meal period.” However, the time will have to be counted as time worked if the employee is required or permitted to perform any duties while eating. See [29 CFR 785.19](#). If you plan to eat and work during your meal period in order to count the time as hours worked, approval for this arrangement must be made with your supervisor.
- **Rest or Break Periods** - DAC employees are provided two fifteen minute breaks each day. Employees are permitted to combine these breaks to be taken at the beginning or end of the workday. The 30-minute time period is considered hours worked when calculating comp time for non-exempt employees.
- **Training** - Time spent by non-exempt employees attending lectures, meetings, and training programs sponsored by the employer is generally considered time worked. However, it does not have to be counted as hours worked provided all four conditions are met:
 1. The meetings are held outside working hours;
 2. Attendance by employees is truly voluntary;
 3. The training is not directly related to the employee’s job; and
 4. The employee does not perform any other work during attendance.See [29 CFR 785.27-31](#)
- **Travel** - Whether travel time is considered as hours worked depends on the following circumstances:
 1. Home to Work in Ordinary Situations - Travel to work and home from work is not considered work time. This is true whether the employee works at a fixed location or at different jobs sites. See [29 CFR 785.35](#).
 2. Home to Work in Emergency Situations - If an employee is called back to work for an emergency (after completing a day’s work) and has to travel a substantial distance to address the emergency, all time spent on such travel time is working time.

3. Home to Work on Special One-Day Assignment in another City - If any employee who regularly works at a fixed location is given a special one-day assignment in another city, the time of travel is counted as work hours minus the usual time from home to work for that employee. Mealtime would also be deductible. See [29 CFR 785.37](#).
 4. Travel All in the Day's Work - Time spent going to the work place before traveling to a job site(s), does not count as hours worked. However, once an employee receives an assignment at the workplace and travels to another job site, this travel time is counted as hours worked. If the employee is required to return to the regular office/workplace at the end of the workday, returning to the office is work hours but travel time from the workplace home is not. If the employee goes home instead of returning to the workplace, the travel is not counted as hours worked unless number 2 or 3 apply. See [29 CFR 785.38](#)
 5. Travel Away from Home Community - Travel that keeps an employee away from home overnight is travel away from home. The travel time is work time when it cuts across the employee's regular scheduled workdays. If it is on the weekend, but the travel time falls during the employee's regular work hours (e.g., 8:00 - 5:00 p.m.), then just the travel between 8-5 is considered work hours. If the time spent on travel (car, airplane, or train) is outside of regular working hours, it is not considered as work time. See [29 CFR 785.39](#).
 6. Multiple Work Locations - All non-exempt employees, who are required to travel from one work location to another work location, will be paid for hours worked when the employee is required to travel:
 - a. to and from another city in the same work day;
 - b. from one work site to another (after reporting for the day's work);
 - c. to and from a work location which keeps the employee away from home overnight (if work is performed while traveling); or
 - d. within normal working hours in any day of the week.

Reminder - meal periods and the time it usually takes the employee to go from home to work are excluded.
 7. Travel in a Private Vehicle - If an employee is offered transportation, but requests to drive his or her own car instead, the employer is required to count only those hours worked during working hours that would have occurred had the employee used the public conveyance. See [29 CFR 785.40](#). For example, an employee drives their own vehicle instead of flying - the employee can only count the time it would have taken to fly rather than count the whole driving time.
- **Sleep Time** - If an employee is required to be on duty but is not working during the night, the overnight hours are not considered work hours. If an employee must work during the overnight hours and is not able to sleep or rest, then the time counts toward hours worked. See [29 CFR 785.22 AND 785.23](#).

Compensatory time for non-exempt employees is calculated at one and one-half times the number of overtime hours worked. An employee must have actually

worked in excess of 40 hours during the appropriate week. Holidays, sick leave, annual leave, or other authorized leave does not count towards this 40-hour requirement. **Work outside the office must be specifically pre-approved by the employee's supervisor in order to qualify toward accrual of compensatory time.**

An Approval Form for accruing compensatory time has been developed and should be attached to the employee's monthly time record. To view the form click on - [Comp Time Approval Form](#) - or go to Share drive at **S: TimeSheets\Employee Forms\Comp Time Approval Form**. Time sheets should reflect actual hours worked.

3.1.3 Exempt Employees

While **FLSA exempt** positions are not entitled to accrue compensatory time, a Supervisor, with the approval of the Executive Coordinator, may permit exempt employees to adjust their work schedule when the performance of job duties requires an exceptional amount of hours to be worked.

3.2 LONGEVITY PAY

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 years in full-time status or in part-time status working more than 1000 hours per year. For purposes of this section, a break in service of 30 calendar days or less shall not be considered an interruption of continuous service; a break in service of more than 30 calendar days shall mark an end to continuous service.

Cumulative, full-time, or part-time employment with the state that equals up to more than 150 hours per month, counts for service credit. Part-time employment, working 150 hours per month or less, also counts for service credit if (a) the period of employment was continuous for at least 5 months and (b) the person worked more than two-fifths time during the period. 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. Leave without pay due to an illness or injury arising out of or sustained in the course of his or her employment with the state, will be counted as credited service.

Eligible employees will receive one lump sum annual payment during the month of the anniversary date of the employee's most recent enter-on-duty date with the State in the amount provided in the following schedule (taxes and retirement will be deducted):

Annual Longevity Pay Schedule

Years of Credited Service	Annual Longevity Payment
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	\$1,062.00
At least 12 but less than 14 years	\$1,250.00
At least 14 but less than 16 years	\$1,500.00

At least 16 but less than 18 years	\$1,688.00
At least 18 but less than 20 years	\$1,900.00
At least 20 years	\$2,000.00

Over 20 years (\$200.00 shall be added for each 2-year increment over 20)

Employees retiring from state employment will receive the proportionate share of any longevity payment which may have accrued as of the date of retirement. Reductions in-force and deaths of employees are also handled this way. If more information is needed, see [74 O.S. § 840-2.18](#) or check with the Finance Division.

TIME OFF

4.0 ANNUAL LEAVE

All permanent employees accrue annual leave. Annual leave is to be used for vacations, personal business, and other time off work not covered by other paid leave or holiday provisions. Temporary employees and other limited term employees are ineligible for annual leave. The amounts of leave an employee can earn and accumulate are as specified in the chart below:

ANNUAL LEAVE ACCUMULATION SCHEDULE

Cumulative Service	ACCRUAL RATES		Annual Accumulation
	Annual	Sick	Limit
0-5 years	15 days/yr.	15 days/yr.	30 days
5-10 years	18 days/yr.	15 days/yr.	60 days
10-20 years	20 days/yr.	15 days/yr.	60 days
Over 20 years	25 days/yr.	15 days/yr.	60 days

Prior to 5 years of full-time state service, employees may accrue up to 240 hours (30 days) of annual leave. Thereafter, employees may accrue up to 480 hours (60 days) of annual leave. If you exceed the maximum hours of annual leave, you must reduce your annual leave by December 31, of the year you reached the maximum (**see current exception below*). If you have more than the maximum at the end of the calendar year, you will lose those hours and convert back to the maximum, be it 240 or 480 hours.

** Following an emergency declaration, the accumulation limits for annual leave shall temporarily increase and shall carryover to the end of the fiscal year following the year in which the emergency declaration ended. The emergency declaration ended in 2021; and therefore, the increase in annual leave carryover ended in July 2022. [74 O.S. § 840-2.20](#)*

Unused annual leave within the accumulation limits shown above will be paid upon separation from employment with the DAC on an hourly basis, by multiplying the number of

hours of leave by the hourly rate for a 40-hour week. Payment will not be made for leave in excess of the accumulation limits.

Annual leave earned during one pay period shall not be available for use until the beginning of the following pay period. For example, if an employee starts the month of June with no accumulated annual leave, the employee **will not** have accrued annual leave available to use until July 1. Annual leave may be used for sick leave but sick leave **cannot** be used for annual leave. See Administrative Rule [260:25-15-11\(b\)](#).

Approval of annual leave is not automatic. Except in emergency situations, requests for annual leave must be submitted in advance and approved by your supervisor. Send the request by email to your Supervisor for approval **before** going on leave. Requests should be made as early as possible. Annual Leave may be approved or denied based on needs of the office, staffing requirements, status of employee's workload, and whether the operations of the agency will be adversely affected. Employees should be judicious and thoughtful in their use of leave and save hours, whenever possible, for situations when a shortage can be anticipated (e.g., family vacations, moving, weddings, etc.) and for unexpected events or illnesses that may occur in the future.

4.1 SICK LEAVE

All permanent employees are eligible to accrue sick leave. Temporary employees and other limited term employees are ineligible to accrue sick leave. Full-time employees accrue 15 days per year and part-time employees accrue leave on a prorated basis. There is no accumulation limit, but employees are not compensated for accumulated sick leave when they separate from state service. See Administrative Rule [260:25-15-12](#).

Sick leave earned during one pay period shall not be available for use until the beginning of the following pay period. For example, if an employee starts the month of June with no accumulated sick leave, the employee **will not** have accrued sick leave available to use until July 1. See Administrative Rule [260:15-12\(3\)](#).

Sick leave is to be used when an employee is incapacitated by sickness or injury, or for medical, dental or optical examination or treatment, or when the employee's presence at work would jeopardize the health of the employee or others. If you must ask off time for the illness or injury of a family member, an employee will need to seek Enforced Leave approval (see Section 4.1.1). If approved, it will need to be marked on your time sheet and will be counted against sick leave accumulations.

If you are ill and cannot report for work, notify your supervisor no later than 8:00 a.m. in the manner your supervisor prefers to be notified (e.g., telephone, email, text). Explain why you are absent and when you expect to return to work. It is your responsibility to ensure proper notification is given to your supervisor. Asking another employee, friend, or relative to give this notification is not considered proper, except under emergency conditions. Notify your supervisor each day while on sick leave unless a mutual understanding is reached concerning when and how notification of your return will be communicated. If you are absent from work because of an unexpected illness, you must submit a request through the email system to your supervisor immediately upon return to work. If sick leave is to be requested for a medical appointment, submit your request as early as practical.

A sick leave request is not automatically approved. In most cases, the decision to approve or disapprove sick leave will be made when you return to work. If necessary to meet payroll deadlines before you return to work, a conditional approval can be made and reversed if

your supervisor ultimately determines sick leave was not justified. If the leave period is longer than three days, a physician's statement will be required unless waived by your supervisor. For shorter sick leave periods, your supervisor may also request a doctor's verification if deemed necessary. A sick leave request, with or without a doctor's statement, will be denied if your supervisor has facts to show you are abusing sick leave privileges or you have failed to supply a requested evidence of illness. If it is determined that an employee has abused sick leave privileges, such violation will be considered a failure of the employee to perform his or her work, and will result in the use of progressive discipline. See [74 O.S. § 840-2.20](#).

4.1.1 Enforced Leave

A permanent employee of the DAC may apply for leave with pay when some member of the employee's immediate family or household requires the employee's care because of illness or injury, or in the case of death in the immediate family or household, or in the case of a personal disaster. Enforced leave is charged against sick leave, and it may not exceed the employee's accumulated sick leave. The number of days approved depends on the circumstances of the case, but must not exceed ten working days in any calendar year.

Enforced leave is requested by submitting a request by email to your immediate supervisor and your request will be evaluated in the same manner as sick leave requests. When completing your employee timesheet, the amount of Enforced Leave hours taken are placed in both the "Enforced Leave" box and the "Sick Leave" box. Although the hours are placed in both boxes, the timesheet program will not double-count the hours.

DEFINITIONS

Immediate Family is defined as spouse, children, parents, brothers, sisters, including step, grand, half, foster, or in-law relationships.

Household is defined as those persons who reside in the same home, who have reciprocal duties 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, or when the living style is primarily that of a dormitory or commune.

Personal Disaster is defined as an unforeseeable, catastrophic event such as the destruction of the employee's residence.

4.1.2 Family and Medical Leave Act (FMLA)

FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. To be eligible for FMLA, employees must have more than 12 months of full-time service and have worked at least 1,250 hours during the preceding 12-month period. Eligible employees are entitled to 12 workweeks of leave in a 12-month period for one or more of the following reasons:

1. The birth of the employee's son or daughter, and to care for the newborn child.
2. Placement with the employee of a son or daughter for adoption or foster care.

3. To care for the employee's spouse, son, daughter, or parent with a serious health condition. "Son" or "daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
4. A serious health condition that makes the employee unable to perform the functions of the employee's job.
5. Any [qualifying exigency](#) arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on covered active duty.
6. Care of a spouse, son, daughter or next-of-kin covered service member with a serious illness or injury incurred in the line of duty on active duty. **Note, this circumstance allows an employee to use up to 26 weeks of FMLA leave in a 12-month period.**

Note, the Department of Labor has provided new FMLA Mental Health Resources for educating employers to understand how to comply with FMLA and to educate employees on their rights under FMLA. Listed below are some helpful links to information about mental health conditions and the FMLA.

- [Fact Sheet #280: Mental Health and the FMLA](#)
- [Frequently Asked Questions](#)
- [Blog - The FMLA: Essential for Mental Health-Friendly Workplaces](#)

The 12-month period at the DAC is measured from the date any employee's first FMLA leave begins. Thus, an employee is entitled to 12 weeks of leave during the 12-month period following the first date FMLA leave is taken. The employee's next FMLA 12-month period will not begin to run until FMLA leave is taken again and must be after the completion of any previous 12-month period when FMLA leave was used.

For example, an employee takes their first day of FMLA leave on April 1, 2017. During the time period from April 1, 2017- March 31, 2018, the employee is eligible to use 12 weeks of FMLA leave. The 12 weeks can be used on different occasions during that time frame (April 1, 2017-March 31, 2018) and April 1, 2017, will still be considered to be the "start date" of the 12-month period. Eligibility to reapply for FMLA leave will be on April 1, 2018.

*If the employee does not need FMLA leave again until November 1, 2018, the new 12-month time period will start and run from November 1, 2018 - October 31, 2019, and the employee will be eligible for 12 weeks of FMLA leave during that time. **NOTE, the employees must continue to meet the FMLA eligibility requirements upon reapplying (i.e., have worked at least 1,250 hours during the preceding 12-month period with the State of Oklahoma).***

FMLA is not a separate type of leave, and it is not accrued or accumulated. The Executive Coordinator requires employees to use all available paid leave (i.e., sick, annual, and Comp time) before the employee must take their FMLA absences on a leave without pay

status. When an employee is out of the office on a FMLA qualifying absence and they have annual, sick, or compensatory (“Comp Time) hours available, the employee will mark their time sheet columns with one of the following combinations:

- “Sick Leave” and “FMLA Used”
- “Annual Leave” and “FMLA Used”
- “Comp. Leave” and “FMLA Used”

Employees will need to use their accumulated sick leave first, then Comp time, and finally their annual leave. Once the annual, sick, and overtime compensation hours have been entirely depleted, the employee will fill in the amount of FMLA qualifying absences under the “FMLA Used” column and then place an “L” under the column labeled “Code” to reflect the FMLA absence is leave without pay.

The DAC shall continue to pay employee’s set benefit allowance while employee is on FMLA. When an employee is out on FMLA leave and is on Leave without Pay, the employee is responsible for paying out-of-pocket for any amount above the employee’s benefit allowance. When an employee is on FMLA leave and using paid leave (sick or annual), any benefit amount above the allotted allowance, will be deducted from their payroll per the usual DAC payroll process. Upon employee’s return to work, employee shall have the right to be restored to the same or equivalent position and benefits, except for extension of their anniversary date for longevity pay, leave accrual, and calculation of retention points he or she would have had if employee had been continuously employed in pay status during the leave period. An employee shall not be required to take more leave than necessary to resolve the circumstance that precipitated the need for leave.

Whenever it is possible, an employee shall schedule Family and/or Medical Leave to accommodate the operations of the DAC. An employee shall give his/her supervisor notice and a request for FMLA at least thirty (30) days before leave is to begin if the need for FMLA is expected. When the need for Family and/or Medical Leave is unexpected, an employee shall give his/her supervisor notice and a written leave request for Family and Medical Leave as soon as possible.

When an employee is seeking leave for a FMLA qualifying condition, employees shall:

1. Put the request in writing (when possible);
2. Provide medical certification when requested by HR and after receipt of the the FMLA Notice of Rights and Responsibilities; and
3. Adhere to leave notification policies and all other employee responsibilities set out in the FMLA paperwork (Notice of Rights and FMLA Designation Notice).

Employees are prohibited from working secondary employment while on FMLA leave. Moreover, the Executive Coordinator has the right to designate leave taken for an FMLA-qualifying event as FMLA leave, regardless of whether the employee has requested FMLA leave.

For a comprehensive listing of the federal provisions of the FMLA, click [here](#). Also, listed below are some helpful links:

- [United States Department of Labor, Family and Medical Leave Act](#)

- [United States Department of Labor, Fact Sheet on FMLA](#)
- [United States Department of Labor, elaws - FMLA Advisor](#)
- [Family and Medical Leave Act Employee Guide](#)

4.1.3 Leave Sharing Program

Oklahoma law provides for a State Leave Sharing Program to permit qualifying employees to receive donated annual and/or sick leave from a fellow employee, and it allows employees to donate leave if they meet the required qualifications of a donor. In consideration of an employee's request of shared leave, Oklahoma law and the DAC policy requires the following guidelines. See [74 O.S. § 840-2.23](#).

1. The employee seeking shared leave must first have exhausted, or will exhaust, all types of paid leave.
2. The employee must meet at least one of the following qualifications:
 - Eligible for and require FMLA.
 - 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.
 - Immediately after the death of a relative or household member, provided that the leave is taken immediately and does not exceed 5 days in any calendar year.

The following definitions apply under this policy: [74 O.S. § 840-2.23](#)

- "Relative of the employee" shall be limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee;
 - "Household members" means those persons who reside in the same home, who have reciprocal duties to and do 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 extreme or life-threatening;
 - "State employee" means an employee with one year or more continuous service with the state. The term "state employee" does not include classified employees in probationary status or unclassified employees on temporary or other limited term appointments, except that those employees are eligible to receive shared leave as provided in paragraph 4 of subsection A of this section and the leave with pay authorized by [Section 840-2.23A](#) of this title related to a presidentially declared national disaster; and
 - "Terminal" means likely to result in death within two (2) calendar years.
3. The sharing of leave **must be** approved by the DAC Executive Coordinator and the supervisor of the employee requesting the shared leave. [Request Forms](#) can be found on the DART Board.

4. Prior to approval or disapproval of shared leave, an employee must provide a medical certification from a licensed physician or health care practitioner verifying the need for the leave and expected duration of the illness, injury, impairment, or physical or mental condition for which the leave is donated.
5. An employee may be eligible to receive shared leave if the employee has abided by State and the DAC policies. Out of respect for all employees at the DAC, the Executive Coordinator will give consideration to the use of the employee's leave time prior to the request for shared leave; employees should be thoughtful and judicious in taking time off and plan ahead for scheduled events (e.g., vacations; a planned surgery) and for unexpected situations (e.g., unexpected illnesses or family emergencies) before using their leave time. The Executive Coordinator shall determine the amount of shared leave each employee may receive.
6. An employee may donate sick or annual leave provided the donation does not cause the donor's sick leave or annual leave balance to fall below 80 hours.
7. If approved, the donor and recipient will need to complete all appropriate paperwork with a DAC HR Officer.
8. Donated leave shall be transferable between employees in different state entities; however, the employee shall first exhaust all available leave options within the state entity of the employee before seeking from another entity.
9. If an employee is approved for shared leave by the DAC Executive Coordinator and does not receive the needed shared leave hours from the agency, the DAC HR Coordinator will work with the OMES shared leave liaison to attempt to secure hours from another agency; and if unsuccessful, the liaison will seek hours from the [Leave of Last Resort Bank](#).
10. Any donated leave not used shall be returned to the donor(s), and it will be divided among the donors on a prorated basis.

4.2 HOLIDAYS

The DAC closes in observance of a number of holidays each year. A list of official state holidays is posted in the office and on your monthly timesheet. All permanent employees are eligible for paid holiday leave. Temporary employees and other limited term employees are not paid for holidays.

4.3 LEAVE WITHOUT PAY (LWOP)

4.3.1 Voluntary Leave Without Pay

Except for FMLA designated leave, a request for Leave Without Pay is not automatic and must be approved. A permanent employee seeking leave without pay (LWOP) must make written application. The request must be submitted to the employee's supervisor and requires approval by the Executive Coordinator. Requests for extension of LWOP must be made in writing to the employee's supervisor and the DAC Executive Coordinator. An employee on LWOP remains subject to all state laws, regulations, and DAC policies applicable to the employee's employment. The employee shall continue to receive basic plan insurance coverage, but the employee is responsible for the out-of-pocket payment

of insurance coverage. In order to determine the cost of the coverage, the employee will need to meet with the DAC Benefits and Finance Coordinators.

LWOP may be canceled at any time by the Executive Coordinator. If the employee fails to return to work at the designated time, the employee may be discharged. An employee may return to work before the specified date of return if the Executive Coordinator approves a written request from the employee to return earlier.

If LWOP is requested due to illness or injury and is approved, the Executive Coordinator may from time to time require the employee to submit a certificate from the attending physician or practitioner that shows sufficient disability to preclude the employee from performing his or her regular duties.

Unapproved LWOP leave is prohibited. If an employee is absent from work and does not receive proper authorization for their absence, the employee shall not receive pay for the time they are not working and proper disciplinary action will be taken. The Executive Coordinator has the authority and responsibility to take appropriate action if fraudulent leave usage or leave abuse is detected. See Administrative Rule [260:25-15-47](#).

An employee that is forced to go on Leave Without Pay because they have exhausted all leave time, will be placed on supplemental payroll to ensure that accurate data is processed and to prevent overpayment for hours not worked. **Please refer to Section 3.0.1 and subsection 3.0.2 of this Handbook for information on supplemental payroll.**

The DAC may terminate an employee who is absent from work after the employee has exhausted all of his or her sick and annual leave accumulations, unless the absence is covered under FMLA, Worker's Compensation, or the employee has received proper authorization from the Executive Coordinator to be on Leave Without Pay. Employees, who are laid off due to a reduction in force, may be considered to be on Leave Without Pay for optional insurance purposes only (see Section 5.0 of this Handbook). The employee must request such consideration in writing before the effective date of layoff.

For more information regarding LWOP, please contact a DAC Finance Officer or review [74 O.S. § 840- 2.21](#).

4.3.2 LWOP - Worker's Compensation

If a state employee is absent from work because of an illness or injury arising out of and sustained in the course of his or her employment with the state, and for which worker's compensation benefits have been filed, the employee shall be:

- Placed on leave without pay if the employee so requests, and the leave without pay shall not be considered a break in service.; however, employee shall not be required to use either accumulated sick or annual leave before being placed on leave without pay.
- Provided with basic plan insurance coverage and dependent benefit allowance during the leave without pay.
- Given the right to be returned to his or her original position for up to one year. The right to return shall expire in one year from the date of the start leave without pay.
- Returned to their position if he or she becomes medically able with reasonable accommodation to perform the duties of their original position. If the employee is unable to perform the duties of their original position, but is medically able with

reasonable accommodation to perform the duties of any other position within the agency for which the employee is qualified, and appointment to such other position does not constitute a promotion, the employee shall have first preference for any such position which becomes vacant within the agency, notwithstanding any other preference provisions of the Oklahoma Personnel Act or of other laws of the State of Oklahoma.

- Eligible to participate in the Disability Insurance Program.
- Required to provide a medical statement as to his or her ability to perform the duties of their position to the Executive Coordinator at least every three months;
- Allowed to retain all benefits, rights, and obligations during the LWOP status, for a continuous period not to exceed 12 months; however, if a workers' compensation claim based on such illness or injury is denied during the twelve-month period, all benefits, rights, and obligations conferred upon an employee pursuant to this section shall cease and be discontinued immediately.

For more information regarding LWOP for worker's compensation, please contact a DAC HR Officer, Finance Officer or review [74 O.S. § 840- 2.21](#).

4.3.3 Involuntary Leave Without Pay (Furlough)

The Executive Coordinator may place employees on involuntary leave without pay (furlough) when such action is necessitated by a temporary decline or cessation of work activities, or the furlough is to reduce expenditures. No employee shall be placed on involuntary leave without pay for more than a total of 184 hours in any twelve-month period.

An employee who is to be placed on such leave will be given prior written notice that advises the employee of the particulars regarding the action, including the dates and times leave is to begin and end. The Executive Coordinator may make such leave subject to early cancellation or periodic call-back, 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 discharge. While on involuntary leave without pay, an employee shall continue to accrue annual and sick leave as though the involuntary leave without pay had not occurred.

4.4 MILITARY LEAVE

Employees who are in military reserve units will be granted leave as required by law. See [44 O.S. § 209](#) and [72 O.S. § 48](#).

4.5 COURT AND JURY DUTY

State employees (including temporary employees), directed by the proper authority or in obedience to a subpoena, shall be entitled to time-off work without loss of compensation or leave when serving as a:

- Witness, party, attorney, representative, or spokesperson in the employee's official capacity as a state employee;
- Witness on behalf of the federal government, the state of Oklahoma, or a political subdivision of the state;

- Witness or party before a state agency, board, commission, or legislative body; or
- Jury member.

A state employee shall take annual leave or leave without pay, at the employee's discretion, for the time absent if serving in the following capacities:

- A party in private litigation;
- A witness testifying as an individual or a paid expert in private litigation;
- Attorney outside of the employee's official capacity as a state employee; or
- Any other capacity of court and jury services not listed as “compensated service exception above.”

State officers and employees are prohibited from receiving expert witness fees when acting in their official capacities as state employees. See [28 O.S. § 84.1](#).

4.6 ADMINISTRATIVE LEAVE WHEN SERVICES ARE TEMPORARILY REDUCED OR CLOSED

If the DAC office is closed because of an imminent peril threatening the public health or safety of the employees or is temporarily closed or reduced due to hazardous conditions (e.g., ice or snow storm, toxic fumes, life threatening damage to building structures, no working utilities, or any other unsafe working conditions), the Executive Coordinator may place employees on paid administrative leave until it is safe to return to the office, or may require essential staff to report to the office. This decision is at the sole discretion of the Executive Coordinator. *Employees who are on paid administrative leave due to unsafe working conditions are on standby or on-call status during their normal scheduled working hours, and the Executive Coordinator may call employees to return to their normal duties and work location or respond to the demands of the situation as necessary.*

Paid administrative leave shall not be granted to employees that telework or have the ability to telework unless otherwise approved by the Executive Coordinator or on a case-by-case basis.

The granting of paid administrative leave applies only to employees scheduled to work during the time period of the closure or reduced services and does not apply to employees who are absent during the closure or reduction on any previously approved leave. An employee who leaves earlier than a designated early dismissal time, or who arrives later than a designated late arrival time, shall be charged leave for the excess time. Employees who are not eligible to accrue leave, such as temporary employees, shall not be granted administrative leave under this section when state services are temporarily closed or temporarily reduced due to hazardous weather conditions. See Administrative Rule [260:25-15-71](#).

In situations where the Commissioner of Public Safety does not declare agency closings, but the DAC Executive Coordinator excuses employees from work, employees shall take Annual Leave, Compensatory Time, or be allowed to remote work, at the discretion of the Executive Coordinator.

4.6.1 Basic Minimum Services and Essential Staff

When the Oklahoma Department of Public Safety authorizes agencies or parts of agencies to maintain basic minimum services because hazardous weather conditions impede or delay the movement of employees to and from work, the employees responsible for providing these basic services shall report to work, and the DAC Executive Coordinator may place non-essential employees on paid administrative leave.

Each supervisor, with approval from the Executive Coordinator, will determine basic minimum services and the designation of essential staff to perform these services. All employees designated as “essential staff” shall be notified in advance and the list shall be kept in writing. Supervisors may designate or remove the designation of essential staff with approval from the Executive Coordinator.

Supervisors, with the approval of the Executive Coordinator, may also make the designation of “conditionally essential staff” and shall notify the affected staff of this designation. If a “reduction in services” is declared or is foreseeable, supervisors must immediately notify their conditional essential staff whether their services will be needed. Designation of conditionally essential staff includes employees who are non-essential for all purposes except for activating events, at which time their status changes to essential. Examples of such conditionally essential staff include, but are not limited to:

- The Finance Division staff when reduced services fall on the date of payroll deadline.
- The Grant or Victims Services Division Staff when federal deadlines for grant applications or similar requirements are due during reduction of services.
- The IT Division; however, the need for IT services for the DAC and DA system may vary according to the condition causing the closing and the amount of counties included in the closings.

Essential Employees who are required to work when state services are reduced due to hazardous weather conditions, shall be entitled to accrue administrative leave on a straight-time basis (hour for hour) for all hours worked with a maximum of 8 hours per day. The administrative leave must be taken within 180 days of its accrual or the employee shall be paid for the leave. An extension of the time period for taking the leave may be approved for up to an additional 180 days. Accrued administrative leave must be used before granting of any annual leave except when the employee may lose accrued leave.

Employees who are responsible for basic minimum services, who do not report to work and have not been excused from their Supervisor, have the following options to account for leave:

- (1) Charge the absence to accumulated compensatory time; or
 - (2) Charge the absence to accumulated annual leave.
- See [OAC 260:25-15-71\(e\)](#).

Non-essential employees will not accrue administrative leave for work performed when placed on administrative leave for hazardous weather or unsafe working conditions. In the instance, the employee decides to stay and is not deemed “essential for that day”, the employee would still be paid for the time worked but would not earn accrued administrative leave to be used at a later date. The time period an employee is off on

paid administrative leave under this section, does not count as hours worked for purposes of accruing overtime/comp time.

4.7 VOTING

As an employee of the state of Oklahoma, we urge you to exercise your right as a citizen to vote. The law provides that employers shall grant employees two hours of time to vote during the period when the polls are open. This applies to all elections except school board and bond elections, subject to the following provisions:

1. Such time to vote shall be allowed on the day of the election or on a day on which in-person absentee voting is allowed by law;
2. If an employee is at such distance from the voting place that more than 2 hours are required in which to attend such elections, then the employee shall be allowed a sufficient time in which to cast a ballot;
3. An employee will not be entitled to this time to vote, unless the employee notifies orally or in writing his or her supervisor of employee's intention to be absent at least 3 days preceding the day of the election or the day of in-person or absentee voting. Your supervisor may select the days and hours employees are allowed to vote, and may notify each of the employees which days and hours he or she has in which to vote. This does not apply to an employee whose work day begins three (3) hours or more subsequent to the time of opening of the polls, or ends 3 hours or more prior to the time of closing the polls. The employer may change the work hours to allow such 3 hours before the beginning of work or after the work hours; and
4. Upon proof of voting, employees will not be subject to any loss of compensation or other penalty for such absence. See [26 O.S. § 7-101](#).

YOUR PROGRAM OF PROTECTION

5.0 HEALTH INSURANCE

A variety of health insurance programs, including dental insurance, are available to state employees. You should consult HR personnel for more detailed information. You have 30 days from the date you first start working to choose your insurance plan. Coverage will begin on the first day of the month following the date of your enrollment. Dependent coverage is also available. Requests for changes in insurance coverage should be made to the HR personnel within 30 days of the change in family status.

If an employee is to be separated by reduction-in-force or is approved to take leave without pay due to personal or family illness or injury, the employee may continue current insurance coverage for a period not to exceed one year. The employee must pay the full premium, including both the employee's and state's shares, unless employee is on family leave under FMLA (see paragraph 4.5.1). In addition, employees who are suspended or are on approved leave without pay, other than for illness or injury, may continue insurance for a period not to exceed three months by paying the full premium. If an employee is suspended, scheduled for separation due to reduction-in-force, or placed on leave without pay status and wishes to continue insurance coverage, the employee should consult with an HR Officer for the specific details before the effective date of the action.

Certain "qualified beneficiaries" - widows, divorced or legally separated spouses, dependent children, spouses of Medicare eligible employees, terminated employees (except for those terminated for gross misconduct), and employees whose work hours are reduced - may continue health coverage under the COBRA plan for up to three years (18 months for terminated or reduced hours' employees). It is your responsibility to notify the Finance Division if you become eligible for continuation of coverage under any of these circumstances. The 18-month limit under COBRA does not apply to a vested employee unless the vested employee chooses to withdraw their retirement contributions. To receive additional information, contact an HR Officer.

5.1 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The State [Employee Assistance Program \(EAP\)](#) is a confidential, voluntary service made available to all employees, retirees, and their immediate family members, and the mission of the EAP is to ***"empower state agencies and employees to build hope and resilience by educating and promoting positive mental health."***

EAP is a cooperative effort between employees and administration to help employees gain access to professional services in resolving personal problems (e.g., personal problems that may have a negative impact on job performance, assistance seeking corrective help with medical or mental health problems, including alcohol or drug abuse, and emotional, marital, familial, financial or other personal problems). The EAP services are designed to be an "on-ramp" to other services, which means from the very start, the employee/family member is actively engaging in the next steps to identify coping strategies and needed resources for the employee or family member to move forward independently. This can be by short-term services (5 visits or less) or links to resources, such as long term services outside our office.

Meetings with EAP staff are offered free to employees. If an employee needs long-term counseling or a specialized service, EAP will assist in locating the most appropriate resource in the community. It is the responsibility of the employee to pay for any service(s) provided by outside resources. Insurance coverage under the Group Health Plan provided to employees may defray some or all of the cost of service. Depending on the type of services sought, an employee seeking the assistance of the EAP may request sick or annual leave to consult with an EAP professional. For assistance or to learn more, please click [HERE](#).

If you are a State of Oklahoma employee or family member and would like to schedule an appointment to sign up for services, you may contact the EAP office at (405) 248-9007 or through email at EAP@odmhsas.org .

If you would like to speak directly with a manager, their information is listed below.

- Employee Assistance Program Case Manager -Holly Doane at holly.doane@odmhsas.org
- Director of Recovery Supports – Tony Stelter at tgstelter@odmhsas.org
- Employee Assistance Program Manager – Lori Walls at lori.walls@odmhsas.org

OMES, Human Capital Management also provides a program called [Thrive](#), which provides state employees and their families with information and opportunities to learn, grow, and enrich their lives for the better. [Thrive](#) works toward empowering state agencies to create a positive and flexible environment for employees and leaders.

If you are in crisis or this is an emergency, please go to the nearest emergency room or crisis center near you. You can also call the Heartline @ 2-1-1 and receive resources

or crisis help. Once you have completed the forms and have not received a response within 48 hours please e-mail or call the office.

5.2 LIFE INSURANCE

Employees in the state service receive \$20,000 in life insurance with accidental death and dismemberment insurance. You may also purchase additional life insurance for yourself and lesser increments for your dependents under the plan. When employees are suspended, scheduled for separation by reduction-in-force, or on approved leave without pay, life insurance may be continued in the same manner as the second paragraph of 5.1 above. Consult with an HR Officer for specific details, and you may click [HERE](#) to access guides on life insurance or to download a claim form from the DART Board.

5.3 ACCIDENTAL DEATH & DISMEMBERMENT

This coverage is included in the basic life insurance, which is part of the employee's core benefit package, and the first \$20,000 of Supplemental Life insurance purchased. If your death is a result of an accident, your basic life insurance of \$20,000 doubles to \$40,000. If you lose a limb or eyesight as a direct result of an accident, depending on the type of loss, coverage of \$10,000 to \$20,000 is provided. Click [HERE](#) to receive more information.

5.4 DISABILITY BENEFITS

All state employees who have been employed 31 consecutive days or more and who are eligible for a group health plan, are eligible to apply for disability benefits. A person is considered to be disabled when they are unable, as a result of injury or illness, to perform the material duties of his or her regular occupation. Any short-term disability benefits will be offset or reduced by other benefits or payments you receive (i.e., holiday pay, sick and annual leave, shared leave). Disability benefits are subject to all applicable state and federal taxes. If you have questions or need to apply for disability benefits, contact an HR Officer for assistance. Click [HERE](#) for more information.

5.5 WORKER'S COMPENSATION

An employee who is injured on the job is entitled to benefits provided by the Worker's Compensation Act. Employees must report accidents to their supervisors and fill out a First Notice of Injury form immediately. An HR/Payroll/Benefits Officer in the Finance Division will be able to provide you further information on this process.

5.6 UNEMPLOYMENT COMPENSATION

DAC employees have the same unemployment insurance protection as covered workers in private industry. To collect unemployment benefits, an individual must meet certain eligibility requirements. Further information is available at any of the Oklahoma Employment Security Commission local offices.

5.7 RETIREMENT BENEFITS & PROGRAMS

Employees with Eligible State Service Prior to November 1, 2015

- [Oklahoma Public Employees Retirement Program \(OPERS\)](#). All permanent employees with eligible state service prior to November 1, 2015, who are working at least half-time, and are not currently covered by any other state funded retirement program, are required to participate in the defined benefit plan, **OPERS**.

Although the state has assumed the major responsibility for funding the retirement system, a portion of your pay will be deducted as your contribution to the program.

Employees who terminate their employment with this agency before reaching minimum retirement age may withdraw any funds they have contributed in the past, leave their contributions with OPERS to retain membership and service credit previously earned, or if the employee has at least 8 years of service, they may elect to vest their benefits in accordance with the plan. An HR Officer can advise you of the current contribution rates and is available to answer questions about this plan.

- [SoonerSave or the 457 Plan](#). The Voluntary 401(a)/457 Deferred Compensation Plan, known as SoonerSave or the 457 Plan, is available to OPERS eligible employees. Under the provisions of this voluntary supplemental plan, employees may defer payment of a portion of their income to a later date. The taxes normally due now on the money are deferred until retirement when most participants would be in a lower bracket. Employees may elect to invest the deferred income into a savings account, guaranteed interest, or various mutual funds which are invested into stocks, bonds, foreign investments, money markets, or contracts. The minimum monthly contribution is \$25. The State of Oklahoma will contribute \$25 monthly, along with each active participant's monthly contribution. If you are interested, contact an HR Officer for further information and/or an enrollment application.

You can also locate the most up-to-date guides and information on these two plans, under Employee Info on the [DART Board](#).

Employees with no prior state service before November 1, 2015

- [PATHFINDER OKLAHOMA](#). All DAC permanent employees working at least half-time who have no state service prior to November 1, 2015, are required to participate in Pathfinder. Note, employees in the District Attorney offices can still be enrolled in OPERS. Highlighted details on the plan as outlined in the Pathfinder Enrollment Guide:

“Pathfinder is a defined contribution retirement savings program composed of a 401(a) plan for mandatory contributions and a 457(b) plan for additional voluntary contributions. Your mandatory 401(a) plan contribution is 4.5% of your annual salary, and your employer helps put you on a positive path to retirement by contributing an additional 6%. In addition, you can receive another 1% employer-matching contribution when you make a voluntary contribution of 2.5% to the 457(b) plan.”

To review the Pathfinder Guide go to [G:\Finance\Benefits\Handbooks](#). Employees who have questions, including vesting periods and how the plan is handled if an employee terminates employment, should contact an HR officer. Oklahoma go to <https://okpathfinder.gwrs.com/login.do>.

5.8 FLEXIBLE BENEFITS

Flexible benefits are authorized under section 125 of the Internal Revenue Code and were authorized for state employees by state law in 1989. Employees can save tax dollars on health and dependent care expenses as well as insurance premiums by selecting the “premium conversion” option during the benefit enrollment period. By choosing this option, employees can have their medical, dental, and life insurance premiums deducted before taxes are withheld. This lowers taxable income and your taxes. It does not affect your retirement benefits. The Employee Benefits Department (EBD) of OMES provides additional tax savings through both the Health Savings Account and Dependent Care Spending Accounts. For further information concerning these programs, you can go to www.ebd.ok.gov.

SEPARATION OF SERVICE

6.0 DUTIES

Upon separation of service, it is **very** important that the DAC receive the following from an individual that is separating service from the DAC:

- **Personal Mailing Address** - Important information will be sent to you upon leaving the DAC regarding insurance and other benefits. It is your responsibility to update and verify that the Finance Division has your correct mailing address.
- **DAC Property** - ALL property belonging to the DAC **MUST** be returned at the end of an employee's service to the DAC (e.g., laptop, security badge, hot spot, keys, files, agency information, etc.).
- **Exit Interview** - This process provides an opportunity to receive input from employees that will hopefully improve the DAC processes and the employees' employment experience.

6.1 RESIGNATION

To resign in good standing, an employee must give the Executive Coordinator at least 14 calendar days prior written notice unless the Executive Coordinator agrees to permit a shorter period of notice. An employee who is absent from work without prior approval and who has not contacted his/her supervisor or the Executive Coordinator within 5 working days, is deemed to have resigned from State service. See Administrative Rule [260:25:11-132](#).

6.2 RETIREMENT

If you are retiring, there are steps and paperwork that must be completed. **Employees are requested to give their immediate supervisor, the Retirement Coordinator, and Executive Coordinator 3 months' notice prior to retirement.**

The Social Security Administration has a helpful guide that can help you navigate your retirement plan: <https://www.ssa.gov/pubs/EN-05-10077.pdf>.

Other additional resources include:

- [Oklahoma Public Employees Retirement Program \(OPERS\)](#).
- [SoonerSave or the 457 Plan](#).
- [PATHFINDER OKLAHOMA](#).

6.3 REDUCTION IN FORCE

The DAC may lay off employees when it is necessary because of shortage of funds, work, or a material change in the functions of the organization. Reductions-in-force will be made at the discretion of the Executive Coordinator. Consideration will be given to employee seniority, job performance, and the essential character of the position. Employees who are to be separated by reduction-in-force can be considered to be on leave without pay for optional insurance purposes only (see sections 5.0 of this Handbook). The employee must make the request in writing before the effective date of the layoff.

6.4 TRANSFER TO ANOTHER STATE AGENCY

Please notify someone in the Finance Division immediately regarding any annual leave that you will be transferring to your new state agency.

6.5 PAY AND BENEFITS AT SEPARATION

Listed below are resources and information to assist employees at time of employment separation:

- **Annual Leave** - The DAC does not pay severance pay. When you leave, you will be paid for actual time worked, plus any accrued but unused annual leave time up to the maximum allowable limits, on the payroll following your final paycheck with earnings.
 - Less than 5 years of service = maximum allowable payout of 240 hours
 - 5+ years of service = maximum allowable payout of 480 hours
- **Insurance** - Your insurance coverage will remain in effect through the last working day of the month in which your employment terminates. COBRA paperwork will be mailed to your personal mailing address explaining costs of continuing coverage. For more information, see 5.0 of the Employee Handbook or visit <https://oklahoma.gov/omes/services/employees-group-insurance-division.html>.

If you are eligible to vest, you may continue your insurance coverage at your own cost. The application for vested insurance coverage can be reviewed at https://oklahoma.gov/content/dam/ok/en/omes/documents/Retiree_Vested_Non-Vest_Defer-App.pdf.

- **SoonerSave** - Call (800)733-9008 for information regarding your withdrawal options.
- **OPERS** - If you are not transferring to another agency, you may leave your contributions in the OPERS system or choose to withdraw or vest:
 - If you withdraw, you will lose service credit, including prior service credit, earned up to the date of withdrawal and will no longer be considered an OPERS member.
 - The opportunity to vest may be available if you have completed at least 8 years of credited service.

If you would like a copy of your HIPPA Certificate or Group Health Plan Coverage, contact an HR Officer or visit <http://www.opers.ok.gov/>.

- **Pathfinder** - Upon severance of employment or retirement, you may leave your balance in Pathfinder and continue to have full access to maintain your accounts and any growth will continue to be tax-deferred. You are not required to take a distribution from Pathfinder until after April 1 of the year following the year in which you reach age 70½ or terminate service. To learn more about your options, speak with the Benefits Coordinator or visit: <https://okpathfinder.gwrs.com/login.do>

EMPLOYEE ACKNOWLEDGMENT

(August 2022 Revised Employee Handbook)

I, _____, verify that I have received my copy of the DAC Employee Handbook. I understand and acknowledge that I do not have a contract of employment with the DAC, and that any agency policies or handbooks are intended only as guidelines and do not create any contract of employment or other contractual rights. I further understand and acknowledge that no verbal statements or assurances by other employees, supervisors, or the Executive Coordinator of the agency will create any contract of employment or other contractual rights that can bind the agency.

I understand that policies and practices may be changed by the Executive Coordinator. All such changes will be communicated through written communication, and I understand that revised information may supersede, modify, or eliminate existing policies.

By signing below, I hereby certify that I have read and understand the DAC Employee Handbook and all corresponding policies. I also certify that I was provided opportunity to review the Handbook, ask questions, and receive clarification before signing this Employee Acknowledgement, and that it is my responsibility to comply with the rules and policies contained in this handbook and any revisions made to it.

EMPLOYEE NAME (Please Print)

EMPLOYEE SIGNATURE DATE

HUMAN RESOURCES OFFICER DATE