MISSISSIPPI STATE DEPARTMENT OF HEALTH

Administrative Manual

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Equal Opportunity in Employment/Service

Administrative Manual
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1.1 General

Human Resources Officer

The Mississippi State Department of Health (MSDH) has established the Office of Human Resources. This office is responsible for coordinating all personnel actions in the department, including hiring, fringe benefits, and performance appraisals of employees, discipline and grievance procedures, ensuring equal opportunity employment, and employee terminations. Human Resources is comprised of employees assigned to the following units:

Leave Administration / Payroll Administration Classification / Contract Administration
Employee Services / Benefits / Records Management Employment / Recruitment Compliance
Professional Enrichment /Training

The State of Mississippi has designated the Mississippi State Personnel Board (MSPB) to regulate all personnel actions for state agencies. Human Resources Office is responsible for implementing the regulations established by this regulatory agency. The personnel policies and procedures established in the Administrative Manual are in compliance with the regulatory agency's policies and procedures. **However, in any instance of a conflict between the policies and regulations of the MSPB and those of MSDH, or a conflict in the decisions of the two entities, the MSPB's policies, regulations and decisions shall prevail.**

An electronic copy of the Mississippi State Personnel Board Policy and Procedures Manual may be accessed through the MSPB website at www.mspb.ms.gov. Human Resources may also be contacted for assistance or clarification. Employees may also find a link to the manual via the MSDH Intranet.

Personnel Action Request

All personnel procedures for MSDH must be coordinated by Human Resources. In order to have a personnel action processed, a *Personnel Action Request* (Form 39) must be completed and submitted to Human Resources.

When a personnel action has been requested, Human Resources will acknowledge its approval/disapproval by returning the yellow copy of the *Personnel Action Request* with the Section "For Human Resources Office Use Only" completed by the Human Resources Director or designee. If the request for personnel action is incomplete, the *Personnel Action Request*, with attachments, will be returned without action and instructions for further processing will be noted.

The Personnel Action Request (Form 39) may be updated to reflect the most current information needed to properly process personnel actions. Always use the most recent version of the form to avoid delays and rework.

2.1 Statement of Intent

The Mississippi State Department of Health (MSDH) is an equal opportunity employer. Equal opportunity, however, does not guarantee an employee any rights not otherwise provided by law. The policy of MSDH is to work continually toward improving recruitment, employment, training, promotional opportunities, retention and participation in all phases and levels of departmental programs for each significant segment group in the labor force.

The specific goals of the policy are as follows:

- To prevent discrimination because of person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

- To prevent retaliation against a person because he or she complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

- To ensure that equal employment opportunity and promotional practices are carried out within the MSDH in a non-discriminatory manner.

- To ensure equality of participation in programs by persons without regard to race, color, political affiliation, religion, age, handicap, genetic information, religious creed, disability, national origin, gender, sexual identity or expression, or any other non-merit factor.

- To assist employees in achieving career goals through training and upward mobility without regard to race, color, political affiliation, religion, age, handicap, genetic information, religious creed, disability, national origin, gender, sexual identity or expression.

This Equal Employment Opportunity Policy is not merely limited to MSDH; the policy also applies to the selection of suppliers, grantees, sub-contractors, vendors and contractors where applicable. The specific laws applicable to this policy are:

- Title VI and the Civil Rights Acts of 1964 and 1991;
- Title VII and the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972;
- Age Discrimination in the Employment Act of 1967 (Public Law 90-202);
- Age Discrimination Act of 1975 (Public Law 94-135);
- Rehabilitation Act of 1973 (Public Law 93-112);
- Equal Pay Act of 1963;
- Americans with Disabilities Act of 1990; and

- Pregnancy Discrimination Act (PDA) of 1978, as amended.

2.2 Implementation and Responsibility

Director and Assistant Director of Human Resources

The Director and Assistant Director of Human Resources will have primary responsibility for coordinating and implementing MSDH's Equal Employment Opportunity (EEO) Policy. They will work closely with management and staff to accomplish the objectives of this policy. Their overall objectives and functions will encompass assisting in arriving at the following:

Objectives

1. Ensure a representative work force throughout MSDH.
2. Provide a non-discriminatory professional enrichment program aimed at improving employees' capabilities, effectiveness, efficiency, and competitiveness when seeking career advancement opportunities.
3. Ensure that personnel actions are in compliance with the EEO Policy.

Duties and Responsibilities

1. Administering the implementation of the EEO Policy and making recommendations to achieve the stated goals.
2. Assisting in the development and review of MSDH's EEO Policies and Procedures, as needed or required.
3. Hearing EEO complaints per the established grievance procedure, and providing assistance in resolving EEO problems or complaints.
4. Coordinating and assisting supervisory personnel in recognizing problem areas by collecting and analyzing data, as required by law. The following type analyses will be periodically conducted: work force analysis; availability analysis; utilization comparison; turnover analysis; salary analysis; promotion analysis; and, training analysis.
5. Reviewing performance ratings to determine equity of treatment.

Directors, Administrators, and Supervisory Personnel

All personnel with supervisory duties will be responsible for implementing the policies, goals, and objectives of the EEO Policy in their respective organizational units. This obligation includes:

Duties and Responsibilities

1. Ensuring that employee performance evaluations are based on job-related criteria.
2. Assisting Human Resources in program implementation, data collection, identification of problem areas, and solving complaints or problems.
3. Encouraging employees who qualify to apply for job vacancies and promotional and training opportunities.

4. Informing employees of their rights and responsibilities, and referring employees to Human Resources when necessary.

2.3 Illegal Discrimination, Harassment, and Retaliation

A non-discriminatory and respectful workplace is more pleasant and more productive for everyone. Therefore, MSDH is committed to providing a work environment free of illegal discrimination and harassment. Illegal harassment is defined as any physical or verbal abuse of a person because of his/her political affiliation, race, religion, age, gender, disability, genetic information, handicap, religious creed or any other legally protected status under local, state or federal law.

MSDH does not discriminate based on sex, age, race, political affiliation, national origin, religion, disability, genetic information, handicap, religious creed, pregnancy status, sexual orientation, marital status, or any other basis protected by federal, state, or local law. MSDH prohibits illegal harassment of its employees in any form - by supervisors, co-workers, customers, or suppliers. If an employee feels that she/he has been illegally discriminated against or harassed, it is generally best to inform the person that is the source of the unwelcomed behavior that you find such behavior offensive, that such behavior is against agency policy, and that you want him or her to immediately stop. However, if any employee is uncomfortable taking this action, or if the conduct does not stop after the offending person has been asked to stop, the employee should immediately contact his/her supervisor. If the offended employee feels he or she cannot seek help from their immediate supervisor, then they should contact the next higher level supervisor in their chain of command or Human Resources for assistance.

Every complaint will be investigated as promptly, thoroughly, and impartially as possible. The agency will protect the confidentiality of complaints to the fullest extent possible. If the investigation determines that illegal discrimination or harassment has occurred, MSDH will take immediate and appropriate action.

MSDH will not retaliate against any employee for complaining about illegal discrimination or harassment. If an employee feels that they have been illegally retaliated against, they should follow the complaint procedure above.

All MSDH managers and supervisors are expected to take timely and positive steps to comply with this policy. They are required to work towards resolving discrimination issues that arise within their respective organizations, and refraining from retaliation or harassment against any employee involved in the filing, investigation, or resolution of an illegal discrimination claim.

Managers, supervisors, and all other employees are required to cooperate fully with the investigation and resolution of all illegal discrimination and harassment complaints. Any MSDH

employee, supervisor, or manager may contact the Office of Human Resources for consultation and/or assistance with issues related to this policy.
[Sexual harassment, a form of sex discrimination, is prohibited under the MSDH Policy Against Sexual Harassment. (Reference: Administrative Manual Section 8.0; Topic: Discipline and Grievance Policies; Reference: Mississippi State Personnel Board Policy Manual; Prevention and Reporting Sexual Harassment Behavior)]

2.4 Commitment to Diversity

The Mississippi State Department of Health's commitment to diversity has a strong supportive foundation in our Mission Statement, ***"To Promote and Protect the Health of All Mississippians."*** This commitment is based on sound business judgment.

At the core of our mission statement is the principle of respecting and valuing the worth and health rights of everyone within our state.

Equality among MSDH colleagues is expressed in recognizing and respecting individual differences in each other, treating each other fairly and creating an environment of equal opportunity for everyone.

Our diversity philosophy and commitment is not limited to MSDH colleagues but also extends to the agency's relationships within the communities we serve across the state. Our goal is to effectively serve patients and clients from all backgrounds by providing quality services to all state residents and visitors, gaining a working understanding of cultural differences, increasing our knowledge regarding health issues which affect our citizens and by practicing a true service culture of inclusion.

The MSDH recognizes that continued success in fulfilling its public mission requires the full and active participation of talented and committed individuals regardless of their political affiliation, gender, gender identity or expression, race, color, national origin, disabilities, handicaps, genetic information, religion, age, or any other non-merit factor. By fostering an atmosphere of acceptance and support, we can begin to value and appreciate the strengths afforded by the differences, styles, ideas, and organizational contributions of each individual.

Diversity complements the organizational values of teamwork, leadership, empowerment and service quality. It encompasses the way we work, the work environment, and our respect for people with differing ideas. **Diversity includes everyone and everything**. While its primary focus may often revolve around issues of historical discrimination based on race and gender, we can neither define nor limit diversity solely by these two factors.

Diversity extends to age, personal and work histories, education, work function, personality-including lifestyle, sexual orientation or identity, geographic origin, tenure with the organization, state service or non-state service employment status, and management vs. non-management position classifications. It also encompasses varying management styles and ways of thinking, leadership abilities, skill levels, experiences, viewpoints, expression of thoughts and differing ways of delivering services, provided there is consistency in the values that we share.
Diversity is all about inclusion. It stresses equal opportunity, recognizes and respects the multitude of differences that employees bring to the workplace, and acknowledges the changing demographics of the communities we serve.

At MSDH, supporting and fostering our diversity principles is an expectation for each and every employee regardless of position or title. Every employee is expected to abide by our equal opportunity and diversity policies, and all applicable laws on these subjects. Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

MSDH makes workplace accommodations that comply with applicable laws, and which MSDH determines are reasonable and needed for effective job performance.

In respecting and valuing the diversity among our employees, and all those with whom we do business, managers are expected to ensure a working environment that is free of all forms of unlawful harassment or discrimination.

2.5 Genetic Information Nondiscrimination Act of 2008

The MSDH respects all employees' privacy in their genetic information and enforces a strict policy of nondiscrimination on the basis of genetic information consistent with the provisions of Title II of the federal Genetic Information Nondiscrimination Act of 2008 (the "Act"). The MSDH will not discriminate, harass, or retaliate on the basis of genetic information and/or the participation or cooperation in an investigation of alleged discrimination based on genetic information. The nondiscrimination commitment extends to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, or any other term or condition of employment. Additionally, MSDH will not use genetic information to make employment decisions.

The MSDH also maintains compliance with provisions of the Act that generally makes it illegal for health insurance companies, group health plans, and most employers to discriminate against employees based on their genetic information.

The MSDH will maintain all genetic information in a confidential manner and in a separate file so as to prevent any unlawful disclosure.

According to the Equal Employment Opportunity Commission (EEOC), genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about any disease, disorder, or condition of an individual's family members (i.e., an individual's family medical history). Family medical history is included in the definition of genetic information because it is often used to determine whether someone has an increased risk of developing a disease, disorder, or condition in the future. However, genetic information does not include the individual's age or sex.

Testing for drug or alcohol use is not included in the definition of "genetic testing" under the Act and may be required by the MSDH pursuant to agency policy and applicable law. Any specimen gathered or obtained for the purpose of drug or alcohol testing will be used for that purpose alone and will not be tested for any genetic information.

To the extent that MSDH inadvertently receives information about an applicant's or employee's family medical history or other genetic information, that information will not be used except as required for any legitimate purpose. All such information will be treated as confidential and will be kept in a confidential file, separate from the applicant's file or the employee's personnel file. No disclosure of an individual's genetic information will be made to any person or entity except as allowed or required by law.

Suspected violations of this policy should be reported immediately to the Office of Human Resources.

2.6 Pregnancy Discrimination Act of 1978, As Amended

It is the policy of the Mississippi State Department of Health (MSDH) not to discriminate against an employee on the basis of pregnancy, childbirth, or related medical conditions. Women affected by pregnancy, childbirth, or related medical conditions must be treated the same as other persons not so affected but similar in their ability or inability to work.

EEOC Guidance on the PDA states, *"Pregnant women who are able to work must be permitted to work on the same conditions as other employees; and when they are not able to work for medical reasons, they must be accorded the same rights, leave privileges and other benefits, as other workers who are disabled from working."*

Although pregnancy itself is not a disability, impairments related to pregnancy can be disabilities if they substantially limit one or more major life activities or substantially limited major life activities. The Americans with Disabilities Act (ADA) covers pregnant workers who are regarded as having disabilities.

MSDH is committed to provide reasonable accommodation to employees who have work

restrictions because of their pregnancy even if the employee does not qualify as disabled or is not regarded as disabled under the Americans with Disabilities Act (ADA).

In addition to the requirements under PDA, the agency is also committed to nondiscrimination of women who are pregnant, who have recently given birth or who could potentially become pregnant in the future as part of its equal employment opportunity/non-discrimination policies.

3.1 Employment Policies

The Mississippi State Department of Health (MSDH) seeks to recruit, select, and advance its employees on the basis of their relevant knowledge, skills and abilities. MSDH strives to ensure that all employment practices including recruitment, selection, appointment, or any aspect of personnel administration, are administered without regard to race, color, religion, national origin, sex, age, or handicapped condition.

3.2 Internal Appointments

MSDH encourages employees to apply for positions that will result in professional opportunities. Pursuant to Mississippi State Personnel Board (MSPB) policy and procedure, the following classes may be filled by direct hire: **State Service**: Clerk, Warehouse Clerk I, Nurse I, Nurse II, Nurse III, Nurse IV, DH-Environmental Engineer series, Research Assistant series, Social Work Consultant, Pharmacist series and all **Non-State Service** positions. Additionally, the MSPB may, it its discretion, add classifications that are eligible for direct hire.

All interested employees choosing to be considered for a vacant state service position not referenced above must submit a standard MSPB Experience and Training Record to the Mississippi State Personnel Board, 210 East Capitol Street, Suite 800, Jackson, Mississippi 39201. An *Experience and Training Record* form may be obtained from the MSDH Human Resources Office, the MSPB, or any local Mississippi Employment Office. Employees who have been continuously employed for at least six months in an agency under the purview of the MSPB may apply for any position at any time.

A Referred List (RL) of applicants will be requested immediately by Human Resources (HR) from the MSPB on state service positions after the position has been approved to be filled and advertised, Intra-Agency, for five workdays. The date the RL will be requested will appear on the Agency Advertisement. Human Resources will forward the RL to the hiring manager once a RL is received from the MSPB. Referred applicants received on the first issue of the RL may be considered for an opportunity for an interview if they meet the classification qualifications and any special qualifications approved by the MSPB. Subsequent issues of the RL received by HR from MSPB will be forwarded to the hiring manager. Referred applicants on subsequent issues of the RL may be afforded an opportunity for an interview until an applicant from the RL is chosen.

3.3 External Recruitment

MSDH actively recruits persons to apply to the MSPB and MSDH. Recruitment may, at times, be accomplished by advertising vacancies in local newspapers, interagency announcements, and trade journals and on the Internet. The district or office in which the vacancy occurs must

contact HR in order to have any advertisement published. A *Request for Outside Advertisement* (Form 100) should be submitted when advertising is needed outside MSDH.

3.4 Recruitment Process

State service positions may be recruited by Intra-Agency Advertisement and/or requesting a RL by completing Section 1 of the *Personnel Action Request* (Form 39). Documentation must be attached for vacating the position, i.e., the letter of resignation. Requests must be submitted to HR for review/processing.
Through Intra-Agency Advertisement, all vacant state service positions approved to be filled will be advertised with the exception of Clerk, Warehouse Clerk I, DH-Environmental Engineer series, Research Assistant series, Social Work Consultant, Pharmacist series, Environmentalist series, Nurse Series, and certain Information Technology classifications. The Intra-Agency Advertisement will be distributed to all MSDH locations. Additional recruitment sources may be utilized in conjunction with Intra-Agency recruitment. Those interested employees who have been continuously employed for six months in an agency under the purview of the MSPB, and choosing to be considered for a state service vacant position, must submit a standard State Personnel Board Experience and Training Record to the MSPB for certification.

When an RL has been requested and received from the MSPB, HR will forward the RL to the hiring manager to begin the interview process. All referred applicants received on the first issue of the RL must be considered for an interview if fully meeting the position qualifications. Subsequent issues of the COERL will be forwarded to the hiring manager by HR until a selection is made.

3.5 Hiring of Relatives

It is the policy of MSDH to avoid the hiring, transfer or promotion of relatives of employees into situations where the possibility of favoritism or conflict of interest might exist. Therefore, applicants will not be hired nor employees promoted or transferred into the *same department* at a location where a relative is already employed. In addition, applicants will not be hired nor employees promoted or transferred into a position in the supervisory chain of command under which the applicant or employee would work (no matter how far removed geographically).

“Relatives” are defined as the immediate family to include: spouses, children, parents, grandparents, in-laws, brothers, sisters, etc. Although this is the agency’s general policy, relatives who are full-time students may be hired for internships at agency locations. Exceptions to this general policy may be requested by a manager through the normal chain of command due to local conditions or unusual circumstances where the intent of the policy can be maintained. Final approval rests exclusively with the State Health Officer.

3.6 Interview Process

All formal interviews will be conducted by the immediate supervisor or designee in conjunction with a designated interview team. Interview questions will be based on job related information such as the job description, the Performance Development Assessment (PDA), Role Description Questionnaire, performance appraisal duties/performance standards and the MSPB's Behavioral Interviewing Guide. Every effort will be taken to ensure that questions that are considered discriminatory are not asked during the interview process. Applicants may be asked to provide at least three references during the interview and sign a release or waiver enabling the references to be contacted.

3.7 Reference Checks

Although reference checks are not mandatory, they are recommended for applicants being considered for employment. The data gathered during the reference check will become a part of the employment package and should be utilized in the hiring decision. All information obtained during the reference checks will remain confidential and retained for a period of no less than three years, at which time the information may be destroyed or archived.

3.8 Additional Interviews

Additional interviews may be conducted by the second level supervisor with those applicants receiving a satisfactory initial interview and reference check. Once a decision has been reached to hire an applicant, the *Request for Personnel Action* (Form 39), and the Employment Package, as described below, must be routed to HR for processing.

3.9 Interview Follow-Up

The applicant selected through the interview process to fill the position will be notified in writing by the immediate supervisor. If any oral notification is made, it will be confirmed in writing. The notification letter shall contain the title of the position, the beginning salary, and the start date. Newly hired employees may be offered a salary up to ten percent above the starting annual salary of the position for exceeding minimum qualifications. However, a letter of justification must be submitted and approved by the MSPB. It is recommended that all applicants interviewed but not selected for employment be informed of the hiring decision in writing. **A request to appoint is not approved until official notification is received from Human Resources.**

Prospective applicants will not be removed from the RL unless one or more of the following conditions apply:

- Applicant fails to meet the minimum qualifications specified in the advertisement.
- The applicant failed to reply to written inquiry.
- The applicant declined an interview.
- The applicant was not available for consideration.
- The applicant declined an offered job.
- The applicant was appointed but failed to report.

When the decision to hire has been made, HR must be informed by completing Section 2 of the *Personnel Action Request* (Form 39). The employee's effective date and starting salary must be noted. If the requested starting salary is above the position's starting salary, justification must be provided for the salary increase. Justification of this nature may include that the applicant possesses more than the minimum qualifications for the position or that a difficulty in recruiting applicants exists. The justification should be accompanied with the Employment Package, as described below, and forwarded to HR for further action.

The RL utilized for the hiring must be coded with action or justification codes for each applicant and submitted with the request to hire along with the Employment Package. These forms must be received in HR by the 10th of the month preceding the effective date of the request regardless of the initial date of employment in order for the individual to be paid on the regular payroll register. If the data is not in HR by this date, the employee will be paid on the supplemental payroll, generally the second Friday of the month.

3.10 Employment Policy and Procedure Responsibility

Human Resources shall have the responsibility to coordinate the hiring of all prospective employees. This responsibility shall include coordinating promotional or recruitment efforts, contact with the MSPB, and monitoring the recruitment and selection policies and procedures established by MSDH.

3.11 Pre-Employment Background Check Policy

Purpose:

To provide a standard requirement and process for obtaining and evaluating background information prior to employment including new hires, rehires, individuals moving from another state agency, individuals utilized through staffing or contracting agencies, and persons engaged through "contract worker agreements."

Policy & Scope:

A. Careful selection of employees is essential to the success of the Mississippi State Department

of Health. MSDH consistently strives to select and hire the best available candidates. All post-offer, pre-hire candidates shall undergo a thorough background check by an independent investigation agency prior to beginning work. All background checks will be conducted in accordance with applicable federal, state, and local laws using criteria established within this policy. The Office of Human Resources is charged with the administration of the background check policies and procedures, and maintaining all official background screening records.

B. Hiring Managers will inform all candidates that, if selected, a background check will be conducted. In the event of an inter-agency transfer, the MSDH will not assume that a thorough investigation was completed when the individual was originally hired or that information revealed in a background investigation will never change over time. As a result, prior to authorizing an inter-agency transfer, another background check may be conducted under the scope of this policy. No background checks are required for intra-agency transfers.

C. An *Authorization to Release Information for Background Check* (Form 159) must be completed and signed by the candidate as part of the new hire paperwork process prior to a background investigation being conducted. If the applicant refuses to complete this release, he/she will not be considered further for employment.

D. All applicants who have been extended a conditional offer of employment, will have, in addition to the reference checks, one of three levels of background investigations or one of the two criminal records screenings as required by the hiring organization and/or based on job functions performed. Additional background check requirements may be requested by the hiring authority and approved by the Director of Human Resources on an as needed basis.

Level I (Base Package: Background Check Only) - New hires and inter-agency transfers (Low risk employees and contract workers. Those who are involved with handling cash, providing patient care or must operate a motor vehicle as an essential job function may require additional checks/verifications.)

1. Social Security Number Validation and Trace*
2. Employment Verification (Last seven years, up to three employers)
3. Education Degree Validation
4. National/State/County/Municipality Criminal Records Check

Level II – (Financial Package: Base Background & Credit Check) - New hires and inter-agency transfers who handle cash or manage large amounts of state assets. This would include Senior Management (Office Director & above) and employees or contract workers whose positions require fiduciary responsibility (e.g., handling money or responsible for financial operations of an agency office/clinic).

1. Social Security Number Validation and Trace*
2. Employment Verification (Last seven years, up to three employers)
3. Education Degree Validation
4. National/State/County/Municipality Criminal Records Check
5. Credit Check

This verification uses the Social Security Number to cross-reference information including addresses in order to prohibit an applicant from omitting a place of residency where he or she may have a criminal record or pending charge.

Level III – **(State Fleet User Package: Base Background & Motor Vehicle Driving Record Check) -** New hires and inter-agency transfers going into jobs that regularly require use of state owned or personal vehicles in the performance of the job duties as determined by the hiring organization.

1. Social Security Number Validation and Trace*
2. Employment Verification (Last seven years, up to three employers)
3. Education Degree Validation
4. National/State/County/Municipality Criminal Records Check
5. Motor Vehicle Report

Criminal Records Checks Packages - Used when needed only to conform to legal requirements to conduct a "Criminal background screening."

Criminal Package 1*: National Criminal Database Search, Federal Criminal Search (all districts), State or County Criminal Search (when conducting a statewide search, a county search in the same state is an unnecessary expense), and a Municipal Criminal Search.*

Criminal Package 2*: All checks included in Criminal Package 1 plus SSN Validation. (SSN validation is recommended to verify that submitted Names and Addresses coincide with database records.)*

Premium or Individual Checks – Additional job related checks as needed or determined by the hiring authority. *Each additional check carried with it an additional contracted fee. The Office of Human Resources will maintain a current listing of applicable fees.*

1. Professional License/Credential Verification (Only for positions that require a professional license and/or certification or for which additional compensation may be awarded)
2. Reference Checks (Personal & Professional)

3. Sexual Offender Registration Search (National & State)
4. U.S. Federal Court Records (All Districts)
5. National Criminal Records Database
6. Statewide Criminal Records
7. County Criminal Records
8. Municipality Criminal Records
9. Educational Degree Validation
10. Credit Check
11. Annual Motor Vehicle Record Check

The agency may contract for other types of job related background checks as required or needed as defined by the State Health Officer or the Board of Health.

Additional Searches – Job Specific:

- Multiple Educational Degree and/or License/Credential verifications may be required for certain professionals with multiple advanced degrees, licenses or other required credentials.
- International verifications will be required of candidates with degrees from institutions outside of the United States.
- In the event an employee falls into more than one of these categories, the appropriate checks for the highest level will be performed.

E. Human Resources will review any situation in which an applicant is found to have a criminal conviction, to determine his/her suitability for employment. Information such as the nature and gravity of the crime, the date that the crime was committed and the relatedness of the crime to the job will be taken into account.

F. Information learned during a background investigation is considered with all other information known about the applicant. Human Resources will evaluate an applicant's suitability for employment on a case-by-case basis. The applicant may be asked to provide additional clarification regarding potentially prejudicial information.

G. Human Resources will provide Applicants with the source of his/her credit report, as required by the Fair Credit Reporting Act and will notify the applicant of the final disposition of his/her application.

Definition of Terms or Phrases

Barrier Crime - A conviction for an offense for which (1) state and/or federal law prohibits employment at MSDH and/or for which MSDH has determined is unacceptable for the performance of the position for which the applicant/current employee has applied.

Consumer - An individual (i.e. applicant, employee). Corporations, partnerships, joint ventures, estates, associations, and governmental agencies are not consumers.

Consumer Report - A written, oral or other communication of any information by a consumer reporting agency (CRA) that bears on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living; and is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing a consumer's eligibility for:

1. credit or insurance to be used primarily for personal, family or household purposes;
2. employment purposes; or
3. Any legitimate business need in connection with a business transaction that is initiated by the consumer, or for account review to determine whether the consumer continues to meet the terms of such account.

Does Not Meet Criteria - If the consumer report contains a conviction for a barrier crime(s), the background check vendor will return this disposition to the designated person at MSDH.

Applicant - A candidate who is being considered for hire or inter-agency transfer.

Meets Criteria - If the consumer report does not contain (1) an arrest or conviction for a barrier crime and (2) the applicant's/current employee's disclosed information is consistent with that developed through the background investigation, the background check vendor will return this disposition to the designated person at MSDH.

Contact Human Resources Director - If there are circumstances that demand review (i.e. arrest/conviction records, suspended/revoked license, non-verifiable information, etc.), the background check vendor will return this disposition to the designated person at MSDH. Current Arrests/Pending Charges always receive this disposition.

Investigation Criteria

A. Criminal Record - Listed below are the background investigation criteria pertaining to criminal convictions:

   1. A conviction for any of the following crimes within seven years prior to the search <u>may</u> result in a "Does Not Meet Criteria" disposition and bar a candidate from further consideration by MSDH or any of its subsidiaries. A conviction that occurred prior to the

seven-year period will result in a "Contact Human Resources Director" disposition and will be reviewed on a case-by-case basis by the Human Resources Director in accordance with federal or state law.

- Felonies involving drugs, including but not limited to, unlawful possession or distribution or intent to distribute;
- Felonies involving physical violence, including, but not limited to, abuse of children or elderly, abduction, including kidnapping, manslaughter, murder, robbery, theft, sexual crimes and assault and battery;
- Felonies involving the illegal use or possession of weapons, including, but not limited to, guns, knives, explosives or other dangerous objects;
- Felonies involving fraud, dishonesty or embezzlement;
- Felony property crimes, including but not limited to, arson and vandalism;
- Other felonies or misdemeanors which may have job relatedness; and, or;
- Listing on the Cumulative Sanction Report as published by the Department of Health and Human Services Office of Inspector General.
- Registered sex offender.

2. Charges that have not resulted in a conviction, including but not limited to, conditional probation, dismissal charges, nolo prosecuted, and adjudication withheld shall result in a "Contact Human Resources Director" disposition and will be reviewed on a case-by case basis by the Human Resources Director in accordance with federal or state law.

3. MSDH may require all outstanding warrants or indictments be cleared from an applicant's record before the candidate is considered for hire.

B. Credit Checks –The following may result in a "Does Not Meet Hiring Criteria" disposition for Level II Applicants:

- Any unsatisfied public record (liens, judgments, etc.) within the last year.
- Three or more accounts that are over 120 days or more past due in which no payment arrangements have been made.
- Accounts that are 120 days or more delinquent (except student loans or medical bills) and student loans or medical bills that are one year or more delinquent in which no payment arrangements have been made.

C. Driver's Record - The following may result in a "Does Not Meet Criteria" disposition that may disqualify the candidate altogether if the position involves driving as an essential requirement:

A conviction for any of the following within the last 36 months:

- Driving under the influence of alcohol or drugs (including DUI, DWI, and DWAI).
- Driving with a suspended or revoked license.
- Leaving the scene of an accident.
- Reckless, careless, or negligent driving.
- Participation in the illegal manufacture, transportation, distribution, possession, sale, or use of alcohol or illegal drugs, or any other illegal activity.
- Passing or failure to stop for a stopped school bus operating its flashers.
- Vehicular manslaughter/homicide.
- Speed contest, drag racing, or attempting to elude an officer of the law.
- Road rage.
- Falsifying information on an accident report, driving record, or to a law enforcement officer.

Failure to authorize a motor vehicle record check shall result in a "Does Not Meet Criteria" disposition and shall disqualify the candidate altogether if the position involves driving as an essential work function for the position for which the applicant is being considered.

This list is not intended to be an all-inclusive list of risk violations but a sample of those deemed serious by MSDH.

In addition, an applicant will not receive authorization to drive if she or he:

- Has an unresolved license revocation or suspension?
- Cannot perform all of the essential functions of the job with or without a reasonable accommodation, which includes driving in a safe manner.

The following results shall result in a "Contact Human Resources Director" disposition:

- Two at-fault accidents during the past three (3) years
- Three moving violations during the last three (3) years

NOTE: In the event the decision to hire is not clear based on the background check, Human Resources will consult with senior agency management or others, as MSDH deems appropriate. At no time should MSDH personnel make a final hiring decision if the candidate has a history that is clearly in violation of this policy. Additionally, this information is considered confidential and should only be provided to Agency officials on a "need to know" basis.

Investigation Process

1. The authorized Human Resources representative enters the data listed on the *Authorization to Release Information for Background Check* form into the online system on all final candidates offered conditional employment. Within 1 – 5 days, the results will be available through the online system. (Occasionally, more extensive searches may take longer.)
2. Results will be made available on a secured online service provided by the Background Check vendor. The appropriate action to take is as follows:

Results Actions

- "*Meets Your Hiring Criteria"* - applicant may be offered employment upon completion of reference checks.
- "*Does Not Meet Your Hiring Criteria"* - applicant cannot be offered employment with the MSDH.
- *"Contact Human Resources Director"* - Human Resources will review the report, evaluate the situation and make a hire/do not hire decision. Only the State Health Officer may override the decision of the Human Resources Director.

The Human Resources Department consults, to the extent it deems necessary, with the appropriate senior field, program, or administrative management regarding actions resulting from the execution of this policy. Discussions directly with individual applicants or employees are generally conducted by the hiring manager.

Due to the nature and sensitivity of the material found in many background investigation reports, results found will only be made available to Agency officials on a "need to know" basis.

MSDH Human Resources will notify the hiring Supervisors or Managers that the applicant has either "met" or "not met" the hiring criteria for the Agency. To protect the confidentiality of the information and to comply with state and/or federal employment laws, no further information is to be provided.

MSDH Human Resources, or their delegated vendor, will notify, via a standardized letter, applicants who fail to meet the established selection criteria. Such correspondence will include a copy of the background report along with a copy of the summary of consumer rights **prior to any adverse action** being taken pursuant to the Fair Credit Reporting Act.

If the applicant has not responded to the above notification within five (5) working days and/or MSDH's vendor has not contacted Human Resources regarding the information provided to MSDH, a Notice of Adverse Action will be sent to the applicant by either Human Resources or their delegated vendor.

If the candidate contacts the Agency, the candidate will be informed that they failed to meet MSDH's hiring criteria based upon the background investigation conducted and that they will be receiving a copy of the background investigation along with information of their rights under the Fair Credit Reporting Act. The applicant will further be instructed that office personnel are unaware of the results found in the report and the reason(s) for employment denial. Discussions with applicants regarding the information contained within a report should be directed to representatives of MSDH's background investigation vendor.

Suspension of Pre-Employment Background Checks

The State Health Officer may, at any time, limit use of certain pre-employment background checks during periods of severe economic hardship. Such limitations do not however, exempt the agency from its requirement to comply with all MSPB policies and procedures; and state and federal laws.

3.12 Date of Initial Employment

The day that the employee reports to work is designated as the date of initial employment and the date the employee's name goes on payroll. If the date of initial employment falls on the first day of the month or the first day of the month falls on a Saturday, Sunday, or holiday, the employee shall be considered reporting to work on the first day of the month. In order to receive full personal and major medical leave for the first month of employment, an employee must begin work on the first working day of the month; otherwise, it will be prorated based on the number of days actually worked.

3.13 Employee Orientation

After an applicant is selected for employment, an employment date will be chosen. A new employee with MSDH should report on the first workday to his or her immediate supervisor or other designee. The immediate supervisor will be responsible for the orientation of a new employee and for providing HR with advance notice of the first workday of a new employee. An employee orientation program has been developed by the Professional Enrichment Division of Human Resources. Supervisors should contact Professional Enrichment to schedule all new hires for orientation training.

The employee's immediate supervisor shall be responsible for providing all job-specific orientation information and necessary training on specific position responsibilities. A new employee's immediate supervisor or designee will explain the time study system and procedures for traveling. The supervisor will also explain the Performance Appraisal Review and provide the new employee with a complete set of duties/performance standards for the position. The new

employee will read and sign the duties/performance standards for the position **within 14 days** of his or her first day on the job. Further information on the Performance Appraisal Review is provided in Section 8.0. The employee's supervisor will also issue the employee his or her supplies and other materials necessary for performance of assigned duties.

3.14 Probationary Period

All full-time state service employees are on probationary status for a period of one year after their original entry into state service. During this period, the employee's supervisor will observe, evaluate, and counsel the employee; at the end of this period, the employee receives permanent status. **An employee may be terminated at any time during the probationary period with or without cause pursuant to MSPB Policy and Procedure**.

3.15 Employment Package

Each new employee must complete applicable personnel forms in the Employment Package and submit them to his or her immediate supervisor to be forwarded to HR. The contents of this package of materials are frequently updated as forms, laws and offerings change. It is therefore essential that new hires access the most current employee on-boarding packages from the MSDH Benefits Portal via the worldwide web. Supervisors should provide the current Internet link to their new hires.

The Employment Package includes:

- Official State of Mississippi Employment Application Mississippi State Employee Handbook
- Mississippi State Employee Handbook Acknowledgment Letter
- Employee Status Card
- MS State Withholding Tax Form Federal Withholding Tax Form
- I-9 Form/Instructions
- Insurance Form Guideline/Election Health Insurance Application
- Life Insurance Application Dental Enrollment Form
- Vision Enrollment Form
- Cafeteria Plan Enrollment Form PERS Handbook
- PERS Handbook Acknowledgment Letter
- PERS Enrollment Form PERS Beneficiary Form 1B
- Workers' Compensation SB 2977 General Notice
- 504 Form Assurance/Compliance Questionnaire Appointment/Transfer Non-State Memo
- Stand By/Call Back Memo
- Employee Immunization & Screening Record/Instructions Employee Military Status Questionnaire
- Alcohol/Drug Treatment & Prevention Resources Booklet
- Alcohol/Drug Treatment & Prevention Resources Acknowledgment Letter Drug- Free

Workplace Policy
- Drug/Alcohol Testing Policy Workplace Violence Prevention Policy
- Computer Access Acknowledgment Letter/Policy Flex Enrollment Form
- MSDH Code of Conduct Acknowledgement Form
- Background Check Authorization to Release Information Form Affordable Care Act Notification

Completion of the Employment Package is mandatory for new employees. Brochures and/or explanations are provided for the employee's information. An employee may not be added to the payroll register until **all** forms are completed or acknowledgment is received that the benefit has been offered to the employee.

3.16 Attendance and Punctuality Policy

The purpose of this policy is to provide a standard of attendance and punctuality for all MSDH employees. Because the availability of sufficient staff is vital to the work of the agency, reliable and consistent attendance is a basic condition of employment. Further, excessive absenteeism and tardiness creates a hardship on other members of the department.

Work Schedules

The defined workweek begins and ends on Saturday at 12:00 midnight. Most MSDH employees work a normal week that consists of five, 8-hour days, Monday through Friday. Typically, MSDH office hours are 8 a.m. to 5 p.m. Some departments, the Public Health Lab or MSDH clinics may keep different work schedules. In some departments, you may have the option of working an alternative or flexible work schedule. Your immediate supervisor will establish and communicate your work schedule.

Recordkeeping

The importance of accurate attendance (Leave) recordkeeping cannot be overstated. The federal labor regulation toward timekeeping is strict and enforced. Failing to record actual hours worked is a serious violation of employment. Supervisors who permit or encourage employees to record anything other than actual hours worked and time off taken are in violation of MSDH policy and state and federal laws.

Attendance

Regular attendance is a basic condition of employment with MSDH and shall be considered among the "essential elements" for all permanent position classifications utilized by the agency.

Employees should report any anticipated absence to their supervisor ahead of time. In an emergency, employees must let their supervisor know as soon as possible the reason for the absence and when the employee is expected to return.

If an employee is absent for three consecutive working days and does not notify his/her supervisor or provide an acceptable explanation for the absence, the employee may be disciplined, up to and including termination.

If an employee is absent for five consecutive working days and does not notify his/her supervisor, the employee will be considered to have abandoned their employment and steps to terminate the employee consistent with the current and prevailing MSPB Policies and Procedures shall be initiated.

Chronic Absences

Pursuant to the prevailing policies and procedures of the MSPB, employees with excessive absences may be subject to disciplinary actions, up to and including employment termination.

Absences may be scheduled or unscheduled.

- **Scheduled**: Absences are scheduled in advance for such events as vacation, medical appointments, military service, family activities, jury duty, funerals, and other happenings that cannot be scheduled outside of regular work hours.
- **Unscheduled**: Absences are considered unscheduled for such events as illness, family emergencies, transportation emergencies, sudden family member illness, and/or death, and household emergencies such as flooding.

Absences are excused or unexcused.

- **Excused**: Absences are discussed and excused in advance of the absence, by the supervisor, for such events as vacation, medical appointments, military service, family activities, jury duty, funerals, and other happenings that cannot be scheduled outside regular work hours.
- **Unexcused**: Absences are not discussed and excused in advance, by the supervisor, for such events as illness, family emergencies, transportation emergencies, family member illness and/or death, and household emergencies such as flooding.

Absences are compensated and uncompensated.

- **Compensated**: Absences are generally compensated when their frequency and rationale fall within the guidelines established in the MSDH attendance policy. These compensated absences may depend upon certain required employee actions such as seeking permission for scheduled absences from work in advance, or calling in to report an unscheduled absence within organization timelines and expectations.
- **Uncompensated**: Absences are generally uncompensated when they number in excess of the

allowed absences stated in the MSDH attendance policy or the employee does not have a balance of accrued leave available to be used.

Chronic absenteeism is defined as "*three or more incidents of unauthorized absence without required notification and satisfactory explanation to the agency within a 90-day period.*"

Chronic absenteeism is among the most serious disciplinary offenses as defined by the MSPB's policies and just one incident of "chronic absenteeism" may be disciplined with a written reprimand or warning and/or result in suspension without pay for up to thirty (30) working days, demotion, or dismissal.
Supervisors are encouraged to address unauthorized absences promptly with employees so as to potentially avoid the employee developing a pattern of unauthorized absences that rises to the level of becoming "chronic." However, the responsibility for satisfactory personal attendance rests squarely on the shoulders of the employee.

Progressive Discipline for Unexcused Absences:

1. **First Offense -** written or verbal counseling that continued unexcused and/or uncompensated absences will lead to subsequent disciplinary action.
2. **Second Offense within 90 days -** written warning or reprimand that continued unexcused and/or uncompensated absences will lead to more serious disciplinary action, up to and including dismissal.
3. **Third Offense within 90 days -** Once unexcused absenteeism becomes "chronic" the agency may, upon the recommendations of the employee's management, consider more severe disciplinary actions, up to and including employment termination.
   Family **M**edical **L**eave **A**ct (FMLA) and Mississippi Worker's Compensation related absences shall not be included in any calculations of "chronic absences."
   MSDH reserves the right to consider absence levels beyond the above norm as a "reasonable accommodation" for employees with disabilities covered by the Americans with Disabilities Act (ADA).

Personal Emergency

In the case of a personal emergency, advance notice to use accrued time off may not be possible; however, the employee is responsible for notifying his/her supervisor as soon as possible. Employees should discuss their personal emergency situation with their supervisors during this call so that appropriate business decisions may be made.

Punctuality

All employees are expected to report to work on time.

Employees not at their workstations ready to work at their scheduled times are considered "tardy." Each tardy, regardless of whether it is at the beginning of the scheduled workday or upon return from lunch or break, is a separate tardy incident.

At the discretion of the Office Director or District Administrator, each office may grant a reasonable and standard (office-wide) grace period at the beginning of each work shift based on the work needs of that office. The allowable grace period shall be communicated to all employees within that office.

When a tardy employee's lateness exceeds the grace period, the full period of time between the scheduled reporting time and the actual reporting time shall be charged against the employee (e.g., If the allowable grace period is ten minutes, an employee whose starting time is 8:00 a.m. who reports to work at 8:05 a.m. is not late, but an employee who reports to work at 8:11 a.m. is eleven minutes late). Lateness beyond the grace period shall be classified as either "excused" or "unexcused." Excused lateness shall not be charged against the employee for disciplinary purposes.

Lateness caused by a verified major failure of public transportation, such as a widespread or total power failure of significant duration, highway closures or other catastrophes of similar severity shall be excused. Traffic accidents, road construction, etc., are not generally considered catastrophic.

Deductions for unexcused lateness shall be made on a quarter hour basis from any compensatory time credited to the employee. If the employee has no compensatory time, the time will be deducted from the employee's annual leave balances in increments of 15 minutes.

MSDH reserves the right to discipline or discharge an employee for excessive tardiness.

Definitions

- **Tardy** - Arrival at work after the designated work start time.
- **Excused Tardy** - Arrival within the allowable grace period established for the Office or planned the day before, i.e., physicians' appointment, visit child's school, run errands, etc.
- **Unexcused Tardy** - Any reason given on the workday for an unplanned/unscheduled late arrival beyond the grace period established for the Office, i.e., slowdowns due to heavy traffic, weather, overslept, etc., or the lack of a reason.
- **Chronic Tardiness** - Employee has **unexcused** tardy of 3 or more times within any 30-day period or accumulates 1 hour or more in tardy time within any 30-day period.

The following procedures shall be uniform throughout the Office:

Supervisors leave keepers, and each employee should be able to review leave, attendance and tardy records on a real-time basis if their office has been fully converted to ***KRONOS*™**, an electronic leave and attendance system. This would include monitoring leave deductions for unexcused tardiness and absences.

Within two days after an unexcused tardy, the immediate supervisor or office leave keeper will notify the employee of the amount of leave deducted as a result of their lateness in all offices using a manual, non-electronic leave and attendance record keeping system.

Disciplinary Steps

1. **Employee Verbal Counseling**

   Upon the second occurrence of an unexcused tardy within a 30-day period, the immediate supervisor will meet with the employee to explain the tardy policy and to develop methods to help the employee avoid future lateness. At this time, remedies such as alternative work schedules may be discussed. The results of the meeting are to be recorded and signed by the supervisor and the employee and placed in the employee's local personnel folder.

2. **Employee Verbal Warning (Chronic Tardiness)**

   If an employee is chronically tardy (see definition above), the immediate supervisor will again meet with the employee to review the employee's tardy record. At this time, the employee should be warned that additional lateness may result in more severe disciplinary action. The results of the meeting are to be recorded and signed by the supervisor and the employee and placed in the employee's local personnel folder.

3. **Written Reprimand or Warning, Suspension and Terminations**

   After 2 months of **chronic tardiness**, within any six-month period, the supervisor will issue a Group One written reprimand or its equivalent (i.e., a written warning) as a disciplinary action, for **each** additional **unexcused** tardy, beginning with the third month.

The written reprimand/warning will state "*The accumulation of three (3) written reprimands (Or written warnings) for chronic tardiness within a three (3) month period may result in suspension without pay for not less than nor more than one (1) workweek. Four (4) written reprimands (or written warnings) for chronic tardiness within a six (6) month period may result in demotion or dismissal*."

The written reprimands (or written warnings) are to be recorded and signed by the supervisor and the employee, and placed in the employee's official agency personnel file that is maintained by the Office of Human Resources.

If no **unexcused** tardiness is accumulated within six (6) consecutive months, the process begins again at step number1 above.

The MSDH reserves the right to modify the definition and parameters for "chronic" absences and tardiness via future updates to this policy.

Disciplinary Terminology Note: For State Service Employees, the correct terminology is "*a written reprimand*." For Non-State Service or Time-Limited Employees without the special rights granted to State Service Employees under the MSPB's Policies and Procedures, the correct terminology is "*a written warning*."

3.17 KRONOS™

MSDH uses the **KRONOS™** Time, Attendance, and Leave Administration Systems to electronically record and track time, attendance, and leave. As such, tardy arrivals, absences and leave requests will be recorded and tracked in the **KRONOS™** System.

To ensure that the data in **KRONOS™** is timely and accurate, supervisors will have the responsibility for monitoring the daily attendance and punctuality of their respective staffs. All daily exceptions from an employee's work schedule must be documented and approved by the employee's supervisor or designee to ensure a timely and accurate payroll.

Supervisors are expected to take the prescribed corrective actions with the employees with excessive tardiness or absences consistent with the policies stated above. Supervisors should report incidents of chronic tardiness and/or chronic absenteeism to their managers.

It is unacceptable for non-exempt employees to fail to clock in to work or out from work. Repeated failures to do so may subject the offending employee to disciplinary action, up to and including employment termination. When an employee fails to clock in or to clock out, it is the employee's responsibility to complete the appropriate documentation for their supervisors to use to edit the employee's time, including assigning the appropriate *Failure to Clock* comments in **KRONOS™**.

KRONOS™ provides multiple options for clocking in and out of work. Employees are to use the methodology or methodologies authorized by their supervisor. Exceptions are appropriate if the primary methodology is temporarily unavailable.

All employees whether exempt or non-exempt should have all absences from work documented in **KRONOS™**.

Falsifications of time, attendance, or leave records are considered acts of a "serious nature" according to the Mississippi State Employee Handbook, thus subject to the most severe discipline. Employees, supervisors and leave keepers are expected to adhere to the highest levels of integrity in reporting and the administrating of the MSDH Time, Attendance, and Leave System (**KRONOS™**).

Serious disciplinary actions such as suspensions, demotions, or employment terminations require consultation with Human Resources and approval by the State Health Officer.

4.1 Employment Categories

Pursuant to Mississippi State Personnel Board (SPB) regulation, the Mississippi State Department of Health (MSDH) has four (4) categories of employment of personnel. These are briefly described below.

State Service

Employees in this category are permanent, full-time, and salaried staff members who are entitled to all fringe benefits and are protected by the SPB. Employees hired in this category are in probationary status for a one-year period from the original date of hire.

Non-State Service

Part-Time or Hourly Status

Employees hired in this category work less than forty hours a week and receive compensation by the number of hours worked. Part-time employees may accrue personal and major medical leave on a pro-rata basis as described in the Leave Policies and Procedures section of this manual. State status is not afforded to these employees.

Time-Limited Status

Non-State employees are hired by MSDH only for the duration of the special grant or project that authorizes their employment and payroll compensation. Personnel in this category do not have state service status, but they are eligible for benefits such as leave, insurance, and retirement.

Exempt Status

These employees are appointed by the State Health Officer and work at his/her will and pleasure: The DH-Director of Health Administration, DH-Office Directors, DH- Director of Internal Audit, DH-Public Health Lab Director, Office Directors, Chief Systems Information Officer, Nurse Practitioners, Dentists and Physicians. These are non-state service employees. Furthermore, certain Bureau Directors classifications that report directly to the above-referenced classifications may also be designated as exempt if they serve in policy making roles or deal directly with confidential agency matters. Non-state service employees are entitled to full fringe benefits; however, they do not have any MSPB protection or state service status.

Standby/Callback Status

The MSPB's Policy and Procedures Manual defines Standby and Callback Pay as follows:

1. Additional Compensation-Standby Pay

   Additional compensation which may be paid to individuals employed within designated occupational classes who are required by the appointing authority to remain available at a predetermined location for return to work after regularly assigned working hours to provide emergency services restricted to the care, preservation, and protection of life or property.

2. Additional Compensation-Callback Pay

   Additional compensation which may be paid to individuals employed within designated occupational classes who are required by the appointing authority to return to work after regularly assigned working hours to provide emergency services restricted to the care, preservation, and protection of life or property.

   An employee may only be placed on Standby/Callback status upon approval of the State Health Officer. Employees placed in this status are required to report for duty on an "On Call" basis. Employees in this status receive additional compensation at a rate previously approved by the MSPB not to exceed 1/10th (one-tenth) of the hourly rate, and for the hours worked when called to come in at the employee's hourly rate or by the award of compensatory time. The Standby/Callback compensation must be requested and documented as described below, and time to be paid is remunerated through a supplemental payroll that generally occurs the last working day of the following month.

   Upon approval of the State Health Officer, Standby/Callback status is submitted for final approval by the MSPB. MSPB approval is specified by PIN within an Occupational Code, and not for the individual employee who holds the position. If a vacancy occurs in a position that was previously certified for Standby/Callback status, the designation is automatically removed. In order to place an employee on Standby/Callback status, the Office Director must complete Section IV on a *Personnel Action Request* (Form 39) and submit the form with justification to Human Resources for review. Human Resources will confirm budget authority with Finance and Accounts as well as make recommendation to the State Health Officer. Standby/Callback status may only be certified at the beginning of a month.

4.2 Designated Classifications and Essential Employees Notification

As a condition of employment, all new hires must sign a *New Employee Acknowledgement Standby and Callback Requirement for Employees Essential to Serving and Protecting the Health of All Mississippians* (Form 816) that can be found on MSDH's intranet web site. All

current employees will sign an acknowledgement of receipt of this policy. This acknowledgement will become a part of the employee's permanent personnel file.

4.3 Types of Standby/Callback

Functional Standby/Callback

Employees working in certain operational areas of the agency are subject to be placed in Standby/Callback status for certain routine periods that occur on a regular basis, as determined by their supervisors. Examples of these areas include, but are not limited to, Home Health, Public Health Laboratory, Public Health Pharmacy, Emergency Response, Communicable Disease, and Public Health District Surveillance. The classifications of these employees vary, but they are generally regarded to be "carrying a pager/cell phone," and customarily receive calls to return to work after regular work hours, on weekends, or on holidays. Standby/Callback status can only be designated by the Office Director or designee upon approval from Human Resources. Employees working under these conditions as part of their normal job responsibilities must complete *On Call Time Report Summary* (Form 239) each month. The Office Director or designee must note approval by signing in the appropriate location on the form. Original forms must be forwarded to Human Resources for processing and copies must be retained in the agency offices.

Employees designated as Functional Standby/Callback must:

1. Receive phone calls during the assigned time frame
2. Be readily available to be placed in Callback status
3. Adhere to all SPB and MSDH Policy and Procedures when placed in Standby/Callback status
4. Immediately notify the supervisor or designated authority should an emergency arise where the employee must be removed from Standby/Callback status.

Note: Failure to meet any one of the above-referenced requirements may result in personnel action consistent with SPB Policy and Procedures.

Standby/Callback - Inclement Weather and Emergency Response

The Governor or appointing authority is authorized to grant Administrative Leave to state employees, with pay, in the event of extreme weather conditions or in the event of a man- made, technological, or natural emergency. Whenever the Governor declares State Offices to be closed due to inclement weather conditions, MSDH will activate its emergency plan. This plan will designate employees who must report to work to maintain essential functions and handle communications (refer to the Procedures for Disasters Manual). The Governor's Proclamation may not apply statewide but rather to local and/or district health offices, because conditions vary considerably within the state. The closing of district offices, county health departments and WIC Food Centers will be determined by the District Administrator after an assessment of local conditions. The closing of county health departments shall be reported to the Director of Field Services or the State Health Officer by 10:00 a.m. or within one hour of closing. Email

notification, if available, or telephone contact should also include the following:

1. District Health Officer
2. Director of Environmental Services
3. Office Director of Health Protection
4. Office Director of Health Services
5. Office Director of Communicable Disease
6. Director of WIC
7. Division of Water Supply

Functional Standby/Callback status can only be designated by the Office Director, or designee, upon approval from Human Resources. Compensatory time shall be granted to employees working under emergency conditions in the event of an emergency response or closure due to inclement weather. Documentation of the time will be reported through the compensation request process as delineated below.

Employees not required for emergency duty shall be placed on Administrative Leave during such period that offices are closed under the Governor's Proclamation. Employees who were scheduled to be off the day(s) covered by the severe weather proclamation (Personal Leave, Major Medical Leave, etc.) shall remain in that leave status for the period previously approved unless called back to duty. This applies to all employees, regardless of location.

Upon notification of a possible event, an employee who is required to remain "available" at home or is asked to leave a message where he/she can be reached is not considered working and no compensatory time shall be earned.

Additional employees called to work under emergency conditions as declared by the Governor and/or by the State Health Officer must complete the *Authorization and Record of Emergency Response – Extra Hours Worked* (Form 815), which can be found on the agency's intranet. Forms must be signed, where indicated, by the employee and the employee's office director or their designated representative. Original forms should be expedited to Human Resources, and copies retained in the agency offices.

<u>Standby/Callback – Disaster Response</u>

As stated, the Governor or appointing authority is authorized to grant Administrative Leave, with pay, to employees in the event of a man-made, technological, or natural disaster or emergency. Whenever the Governor declares state offices to be closed, due to a natural or otherwise proclaimed disaster, MSDH will activate its emergency plan.

The MSDH emergency plan will designate employees who must report to work to maintain essential functions and handle communications (refer to the current revision of MSDH

Continuity of Operations Plan.) The Governor's Proclamation may not apply statewide, but rather to local and/or district health offices, because conditions vary considerably within the state. The closing of district offices and county health departments will be determined by the District Administrator after an assessment of local conditions. The closing of county health departments shall be reported to the Director of Field Services by 10:00 a.m. or within one hour of closing. (See Standby/Callback – Inclement Weather and Emergency Response for additional notification reporting.)

Any employee may be immediately designated for disaster response Standby/Callback by the State Health Officer. Compensation will be granted to all employees working under a declared emergency or disaster response, as approved by the Chief Financial Officer. Documentation of time will be reported through the compensation request process as delineated below. Employees not required for disaster response duty shall be placed on Administrative Leave during such period that offices are closed under the Governor's Proclamation if otherwise scheduled to work.

Disaster Response Standby/Callback can only be designated by the Office Director/Designee upon approval from Human Resources. During a disaster response, an employee who is required to remain "available" at home or is asked to leave a message where he/she can be reached is considered "on Standby". Employees in this status receive additional compensation at a rate previously approved by the MSPB, not to exceed 1/10th (one-tenth) of the hourly rate.

4.4 Documentation for Compensation of Standby/Callback

Compensation must be requested by submitting an *On Call Time Report Summary* (Form 239). The form details the request for payment of Standby/Callback hours, and/or the hours of compensatory time to be accrued to the employee in lieu of pay for Standby/Callback hours.

For scheduled workdays, there are fifteen (15) allowable hours of compensation for Standby/Callback or compensatory time on each day in excess of the normal eight (8) hour workday. For holidays, weekends and days designated as Administrative Leave, there are twenty-four (24) allowable hours. In no case shall the total hours of Standby/Callback and compensatory time exceed the hours allowable for any given day. Only one classification of call may be compensated at any given time. Original requests for compensation or changes to previously submitted requests must be received in Human Resources within 90 days after the actual date of the occurrence. Requests submitted in excess of the 90-day window must have justification for the award/change and/or reason for delay/modification from the Office Director. Justification for delay/modification will be reviewed by the Human Resources Director for recommendation to the State Health Officer.

Requests for compensatory time unrelated to Standby/Callback circumstances should be

submitted as described in the Leave Policies and Procedures section of this manual.

4.5 Probationary Period of Employment

Upon original entry into a state service position, each employee is in a probationary status for a period of twelve (12) months. The probationary period provides an effective means for the employee to learn assigned duties and responsibilities. During this time, the supervisor carefully observes the employee's work and conduct to determine if the employee is progressing toward successfully performing the duties and tasks assigned. Two formal employee performance appraisal ratings will occur during the probationary period. An employee may be terminated at any time during the probationary period with or without cause or notice by the State Health Officer.

An employee has certain grievance rights during the probationary period of employment. He or she may appeal, through the MSPB's Employee Appeals Board, only those adverse employment decisions based on alleged acts of illegal discrimination or violation of rules governing political activity. Employment in a time-limited, exempt, or part-time position, prior to probationary appointment, is not credited toward the probationary period.

4.6 Permanent State Service Status

After an employee has successfully completed a probationary period of twelve (12) months, as noted on his or her six and twelve-month appraisals, the employee may be certified by the MSPB to receive permanent state service status. The employee with permanent status can expect to be employed continually in the position unless there is a just cause for removal. The permanent state service employee has grievance rights and may appeal an agency's decision to take adverse job action to the Employee Appeals Board. The grievable issues and the job actions that can be appealed are outlined in the Discipline & Grievance Policy section of this manual.

4.7 Payroll

All regular and part-time employees are paid on the last working day of each month and the pay warrant reflects compensation for that month. The State's payroll system will not allow a salary to be paid in advance. Payroll warrants cannot be issued until payday and will not be issued to anyone other than the employee unless the employee makes arrangement with the designated payroll officer for his/her office or district. The employee must designate someone to receive the warrant in his or her absence.

Employees certified to be on Standby/Callback will receive compensation for those hours on a special supplemental payroll. The payroll warrant for Standby/Callback hours will be issued on the last working day of the following month. Standby/Callback payroll is paid retroactive for

one month.

Insurance coverage, federal and state tax exemptions, deferred compensation, and credit union deductions all affect an employee's withholdings. If an employee wishes to make a change that will affect his/her payroll withholdings, he/she should contact Human Resources before the tenth of the month. Human Resources will ask the employee to complete the required forms in order for the adjustments to become effective. Any changes requested after the tenth of the month will not go into effect until the following month. Employees are also responsible for ensuring that their personnel records are current and correct. Employees are required to report any change of information on these records (name, address, telephone number, increase or decrease in dependents, etc.) to Human Resources.
Any new employee whose initial appointment is not approved by the MSPB prior to the tenth of the month and any employee whose pay is reduced or who terminates employment after this date may not receive his/her payroll warrant on the regular payday. In such instances, the employee will be paid on a supplemental payroll.

Overpayment Policy

Any overpayment by MSDH to an employee or contract worker, for any reason, should be immediately reported to the responsible supervisor. Paper checks containing overpayments should be returned to Finance and Accounts with a clear and complete explanation of the overpayment.

Finance and Accounts will issue a manually prepared check, if appropriate, that reflects the correct amount due. In the case of Direct Deposits, the party receiving the overpayment must notify their supervisor immediately of the overpayment and make immediate restitution, upon notification by Finance and Accounts of the net amount owed.

Failure to properly report an overpayment and/or the failure to promptly return all overpaid funds may be considered as knowingly creating an unlawful debt to the State of Mississippi that could lead to severe disciplinary actions and potential litigation against the employee or contract worker.

All supervisors have a fiduciary responsibility to ensure the accuracy and completeness of all requests for payments and reimbursements. A supervisor's signature on an authorizing document (Leave Report, Travel Voucher, Time and Attendance Report, etc.) indicates the supervisor's certification that the payment being authorized is for valid MSDH business and is correct. Supervisors who fail to demonstrate the requisite due diligence in protecting state funds and/or property are themselves subject to disciplinary actions and a possible assessment of financial liability.

In the course of operating a large state agency, honest mistakes sometimes occur. Prompt and thorough reporting of such mistakes and repayments of any overpayments will help avoid the need to take severe disciplinary action or for litigation.

It is important to note that receipt of state funds in error, for any reason, should be promptly reported and returned. The person receiving the funds in error **is not** absolved of the responsibility for repayment even though they may not have caused the error.

Additionally, supervisors can help minimize the potential of overpayments if they immediately contact Human Resources whenever there is a pay-affecting event (Leave without pay, employment separation, contract termination, etc.).

Garnishments

Garnishments are recognized as payroll deductions. Employees receiving garnishments will be notified upon receipt and should expect to have their checks show a deduction for the garnishment(s) until the full amount owed is paid. Questions concerning garnishments should be addressed to the judge issuing the garnishment order and not MSDH Human Resources.

4.8 Changes in Status

Any change in the status of an employee such as promotion, transfer, salary increase, reclassification, or position reallocation must be made effective on the first day of the month. Such changes cannot be made on any other day during the month. Procedures for changes in status are described below.

Reallocation Procedure

In order to reallocate a position (change an employee/position's title or make an adjustment in the classification of the position), Section III of the *Personnel Action Request* (Form 39) should be completed and the salary requested must be indicated. The form should be submitted to Human Resources accompanied by an Experience and Training Record, a Performance Development Assessment (PDA), an Employee Performance Appraisal (PA) rating, an updated organization chart, and a letter of justification. Vacant positions do not require an Experience and Training Record or a PA rating. All upward reallocation must be justified as emergencies under the criteria established by the MSPB. All reallocations must be approved by the Human Resources Director.

Reclassification Procedure

Position reclassification only occurs in those occupational groups in which the MSPB has established a career ladder and authorized automatic reclassification; for example, an Environmentalist Trainee to an Environmentalist I. When the employee meets the qualification

requirements for the next level in the series, reclassification may be requested by completing Section III of the *Personnel Action Request* (Form 39). An Experience and Training Record, an organization chart and a performance rating must be completed and submitted to Human Resources along with the *Personnel Action Request* (Form 39) for processing. An Experience and Training Record and a PA rating are not necessary if the position is vacant and being reclassified in order to recruit.

Procedure to Transfer a Position

When a position needs to be transferred to another organization, whether an employee is occupying the position or not, Section III of the *Personnel Action Request* (Form 39) must be completed and submitted to Human Resources. An organization chart reflecting the change must accompany the request.

Promotion

Any employee in a permanent or probationary status for a minimum period of six months, who has received a "Meets Expectations" performance evaluation in accordance with MSPB regulations, may be considered for a promotion to fill a vacancy within the agency. The minimum qualifications listed for the vacant position must be met in order to apply for a promotion.

Promotions must be requested utilizing Section III of the *Personnel Action Request* (Form 39). The present and proposed salaries should be noted in the appropriate blanks. The promotional formula represents the maximum salary that may be awarded without justification. In the event the promotional formula falls less than ten percent (10%) above start, new hire flex may be requested with proper justification. A lower salary may be awarded, if deemed appropriate. Promotions that are based on open competition require a Referred List (RL) of applicants. Each applicant on the RL must be coded and returned with the *Personnel Action Request* (Form 39). If the employee to be promoted is within the agency, the *Personnel Action Request* (Form 39) must first be submitted to the office where the employee is working for the supervisor's signature prior to being forwarded to Human Resources. If there is not a current performance rating for the employee, one must be completed and attached with the signed request. If the promotion is non-competitive, an application from the employee will replace the coded RL. Any state service employee who has permanent status and is promoted to another state service position will retain permanent status. Any state service employee who is on probationary status and is promoted to another state service position will retain probationary status until completion of the original twelve-month probationary period.

Demotion

Employees may be demoted voluntarily to assume a position with fewer or different responsibilities, or involuntarily in the event of a reduction in force (RIF), or for disciplinary reasons outlined in the Discipline & Grievance Policy section. In order to process a demotion,

Section III of the *Personnel Action Request* (Form 39) must be completed. An application from the employee and a letter acknowledging the demotion in classification and/or salary must be submitted on all voluntary demotions. If the demotion is requested without a pay reduction, justification must be provided showing that it is in the best interest of the agency that the salary be retained at the current level.

Lateral Transfer

In order for an employee to be transferred into a position within the same salary range, Section III of the *Personnel Action Request* (Form 39) must be completed. If the employee is being transferred from a state service position into a non-state service position, a letter of acknowledgment (non-state service letter) must accompany the request.

Salary Increases

Funds for state employee salary increases are appropriated by the State Legislature. As such appropriations are made, salary increases will be awarded based on the guidelines contained in the appropriation.

Reduction in Force (RIF)

The tenure of an employee with permanent state service status shall be continued as long as the employee performs the assigned duties satisfactorily and adheres to MSDH's philosophy of conduct. However, the State Health Officer may reduce the number of employees in the Department, when necessary, for reasons of shortage of funds, lack of work, material change in duties, or a reorganization of the Department that may or may not be the result of a merger of agencies.

In effecting a RIF for employees in the Department, seniority, performance appraisals, veteran's preference, and the types of appointment shall be considered in determining the order of reduction. The State Health Officer may declare that only certain job classes, functional areas or divisions, units, or offices (by project, location or reporting category) are affected or that MSDH as a whole is affected. The State Health Officer may exempt positions in an entire program area or a certain number of positions in a program area from the RIF when these positions are required by federal law or grant requirements. Pursuant to SPB regulations, when a RIF becomes necessary, all employees holding emergency appointments, probationary or indefinite probationary appointments, shall be separated from employment status (in that order) before any permanent state service employee is reduced in classification or separated from employment status.

4.9 Order of Separation from Employment - Non-Permanent Employees

The order of separation within each of the emergency, probationary, or provisional groups shall be determined according to the length of service of the employees involved. If two or more individuals have the same length of service, an administrative determination shall be made. Length of time in service will be computed beginning with an individual's first day of employment with the agency.

4.10 Order of Separation from Employment - Permanent Employees

Before any permanent employee shall be separated from employment status due to a RIF, a determination shall be made of the classification, program, and/or location in which the RIF of permanent employees will occur. After this administrative decision has been made, the order of separation from employment status of affected permanent employees shall be determined, as noted in MSPB regulations, by a retention point system. Retention points for affected permanent employees shall be computed according to the following criteria:

1. Seniority – An employee shall be credited with one point for each year or portion thereof of continuous state service as a state service employee for a total not to exceed thirty (30) points. In calculating retention points for a partial month of service, one-twelfth of a point is credited to employees with service equal to fifteen days in the month. No credit is given for service of less than fifteen days of the month.
2. Performance Rating – Each agency shall use the three most recent annual performance ratings, as recorded in agency files, and assign retention points to calculate the Adjusted Rating Score (ARS), as of the date the agency submits the organizational chart and staffing plan.

    a. The retention points for each of the three performance ratings shall be added together and converted to an Adjusted Rating Score (ARS) using the Performance Rating Conversion Chart. The resulting score should be rounded to the tenth decimal place.

    b. If an employee has received less than three performance evaluations, then the employee receives a presumptive "Successful" for each missing evaluation. An appraisal rating rendered more than three years before the date the agency submits the organizational chart and staffing plan for reduction-in-force will not be used to calculate an employee's Adjusted Rating Score.

    c. Employee ratings are very critical whenever an agency has to implement a reduction-in-force. Ratings not completed and recorded pursuant to policy and procedures will not be used in the computation of the Adjusted Rating Score and a presumptive rating of "Successful" will be used.

3. Veterans' Preference - Veterans shall be awarded four (4) points, and disabled veterans shall be awarded eight (8) points.

4. Performance Rating Conversion Chart - The sum of the employee's three most recent annual performance rating shall be converted to an Adjusted Rating Score as defined by the Mississippi State Personnel Board.

Retention points assigned to an employee based on his or her seniority, performance appraisal, and veteran status shall be totaled to provide a composite score. Within each job classification or category where a RIF is necessary, the composite score of employees shall be ranked and listed from the highest to the lowest. The process of reduction or separation begins with the employee who appears last on the list and proceeds, in ascending order, until the necessary reductions or separations have been made. If the retention formula fails to establish the order of reduction or separation due to identical scores, an administrative decision will be made to determine which employees shall be affected by the RIF.

With the assistance of the MSPB, all attempts will be made to place the affected employee in another position for which the employee is qualified. An employee affected by a RIF will receive priority for filling a position with the state. An employee who is separated from employment status shall be given at least ten (10) days written notice of the effective date and the reason(s) for the separation from employment. Any permanent employee separated from his/her position or who may be required to accept a lower position because of a RIF shall have the right to appeal. (See MSPB Policies and Procedures Manual for additional details.)

4.11 Employment Separation

An employee who desires to terminate service with MSDH should submit a written resignation/retirement communication to their immediate supervisor, or in their immediate supervisor's absence, to their District Administrator or Office Director, at least ten (10) working days prior to their final working day. In the case of an employee's death, the employee's supervisor will immediately provide written notice of such to the District Administrator or the Office Director.

The District Administrator or Office Director shall acknowledge receipt of the resignation/retirement/death communication by signing or initialing the notice, and notification of the resignation/retirement/death is to be made to MSDH Office of Human Resources, ensuring that the following information is expeditiously transmitted:

1. Original resignation/retirement/death notification document, to include:
   a. Employee's social security number
   b. Effective date and time of resignation/retirement
   c. Whether the resignation is related to:

   i. Retirement (specify regular or disability),
   ii. Transfer to another state agency,
   iii. Resignation from employment with the State of Mississippi, or
   iv. Employee death
2. Employee's PIN and Organization Code.
3. Employee's forwarding address and telephone number.
4. Employee's *Record of Leave* (Form 41), reconciled through the final workday, to include any outstanding *Request for Leave* (Form 40) which must be signed by the employee's supervisor.

Resignation/retirement/death notifications received by the Office of Human Resources Payroll Branch at least one week prior to the payroll cutoff date for the month, will be processed on the regular payroll for that month.

Resigning employees may be on approved leave for their final workday. Retiring employees are required to report to work for at least one hour on their final workday, except in the event of disability retirement. Refer to the Leave Policies and Procedures section regarding payment for accumulated leave.

The employee's District Administrator or Office Director is responsible for ensuring that the resigning/retiring employee has settled all outstanding debts owed to MSDH, including the return of Agency assets (computers, cell phones, pagers, keys to buildings, entry swipe cards, credit cards, identification badges, etc.). The employee's final paycheck may be held pending any concerns involving the separation process. In the case of deceased employees, the District Administrator or Office Director will work with the employee's representative to settle all outstanding debts and to arrange for the return of any Agency assets.

5.1 Insurance

Health Insurance

Health insurance is provided for employees, with coverage beginning the first day of employment. If the employee does not elect to be covered by the Group Health Insurance Plan when initially employed, he/she will be required to show evidence of insurability should coverage be requested at a later date. Coverage may also be obtained for family members, when it is requested and paid for by the employee. However, dependents not enrolled when the employee is initially employed cannot be added until the open enrollment period, with the exception of newly acquired dependents, such as a newborn baby or new spouse, which may be added at any time. If an employee's spouse loses insurance coverage, they may be added when the loss occurs, if COBRA coverage is not available to them.

Life Insurance

Life Insurance may be obtained, if an employee chooses, and 50% of its cost will be paid by the State of Mississippi. The Group Life Insurance Plan coverage is based on the employee's salary. For the current maximum and minimum coverage amounts, employees should contact their immediate supervisor or the Office of Human Resources.

Supplemental Insurance

Employees may elect to purchase one or all of the following supplemental insurance coverage:

- Cancer/ICU/Dread Disease and Personal Sickness Indemnity policies, available through a separate insurance carrier.
- Dental insurance, which pays up to the maximum of eligible expenses in the initial calendar year. Coverage pays varying percentages of preventive and diagnostic services, uncomplicated extractions, fillings and other restorative procedures; crowns, bridges, dentures, orthodontics, and other procedures.
- Vision insurance, which allows employees benefits through a nationwide network, as well as independent optometrists, ophthalmologists, and retail chains.
- Other supplemental insurance products that may be approved for Mississippi State Department of Health (MSDH) employees' consideration.

MSDH (the Department) provides payroll deduction for supplemental insurance policy premiums to allow group rate participation.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

Insurance is available to employees and dependents under COBRA, when certain qualifying events occur, provided that the premium for continuing coverage is paid by the individual.

COBRA provisions cover only those individuals who have no other insurance coverage. Eligibility for COBRA coverage includes:

- Employees who resign or have a reduction in work hours are eligible to continue insurance coverage up to 18 months.
- Dependents, including the spouse of a deceased employee, may retain coverage up to 36 months.
- Spouses of employees, in the event of divorce or separation, may retain coverage up to 36 months.
- Ineligible dependent children (over 19 years of age and not a full-time student or those who have reached the age of 23) may receive up to 36 months of insurance coverage.

Eligibility ends when an employee or dependent is re-employed or is covered by another type of health insurance.

5.2 Benefits

Cafeteria Plan

MSDH provides a Cafeteria Plan to its employees. Payroll deductions will be made for eligible coverage that the employee elects to procure through the plan, including any supplemental policy described above with the exception of Universal Life Insurance. The Cafeteria Plan provides a tax benefit as premiums made are deducted prior to calculating the Federal and Social Security taxes to be paid.

Taxes are paid on the employee's income after the insurance premiums are deducted, less Social Security taxes. This may reduce the employee's Social Security benefits at retirement or in the event of disability. This act should be considered prior to electing Cafeteria Plan coverage.

Once an employee elects to participate in the Cafeteria Plan, he/she must remain in the Plan for the remainder of the Plan year (calendar year). The deductions requested upon entering the Plan

will continue until the next Plan year. The only exception to this involves the occurrence of a major change in family status such as marriage, divorce, birth, or death.

Flexible Spending Account

When the Flexible Spending Account is elected, the employee determines an amount to be deducted from their paycheck, thereby reducing the employee's taxable pay and resulting in a savings in income and Social Security taxes normally paid by the employee. Therefore, each pay period, the amount agreed upon will be deducted and held in an account for the employee. By submission of a reimbursement request, the employee will receive a check deducted from the account. Medical expenses paid by any insurance plan may be claimed, as well as expenses for any dependent family member claimed when filing federal income tax.

Coverage is provided for doctor visits, dental charges, prescriptions, eye exams, contact lenses, etc. Expenses must be incurred during the Plan year (calendar year). For the minimum and maximum monthly deductions, the employee should contact his/her immediate supervisor or the Office of Human Resources.

Careflex (Dependent Child Care/Day Care)

Careflex allows employees to set aside funds deducted from his/her gross pay before taxes. The funds are then made available for reimbursement for eligible dependent (ages 0-13) care expenses. Careflex may be used instead of (or in some cases, in addition to) the dependent care tax credit claimed on federal income tax returns. Claims may be made by filing the appropriate reimbursement forms.

5.3 Retirement

State Service

All MSDH employees are covered by the Public Employees' Retirement System (PERS). Mandatory payments of a percentage of an employee's salary are deducted monthly for the retirement system and the contribution is matched by the State of Mississippi.

Employees become vested in the retirement systems once they have worked the required number of years of service as a contributing member of PERS. Being vested entitles employees and their beneficiaries to certain retirement benefits when they reach a specified age or years of service.

Employees who were employed by the State of Mississippi prior to July 1, 2007, are vested in the retirement system after four (4) years of active PERS membership. They may retire once vested in the retirement system and reach at least 60 years of age, or have 25 years of state

employment, regardless of age. They are also eligible for the Partial Lump Sum Option (PLSO) with 28 years of creditable service or if age 63 and vested.

Employees who were employed by the State of Mississippi after July 1, 2007, must contribute to the retirement system for eight (8) years to be vested and become eligible for retirement benefits. They may retire once vested in the retirement system and reach at least 60 years of age, or have 25 years of state employment, regardless of age. They are also eligible for PLSO with 28 years of creditable service.

Employees who were employed by the State of Mississippi on or after July 1, 2011, must contribute to the retirement system for eight (8) years to be vested and become eligible for retirement benefits. They may retire once vested in the retirement system and reach at least 60 years of age, or have 30 years of state employment, regardless of age. They are also eligible for PLSO with 33 years of creditable service.

Employees may take disability retirement if they meet vesting requirements, provided they have not reached age 60, or if the employee is hurt on the job in the line of duty, regardless of age or years of service.

When an employee terminates his/her position with the state, he/she has the option of having all accumulated personal and major medical leave counted as state service for retirement purposes. If the employee chooses to be paid for his/her leave (30 days of personal leave is the maximum allowable amount), any unpaid leave balances will be credited toward the employee's eligibility. **PERS rules and procedures are governed by the PERS Board of Trustees and are subject to change. Employees are encouraged to verify current eligibility requirements and direct their specific retirement questions directly to PERS.** Their website may be accessed at: http://www.pers.ms.gov/ or call PERS at 1-(800) 444-7377.

Deferred Compensation

The Deferred Compensation Plan is available through the Public Employees' Retirement System (PERS) and enables an employee to postpone paying federal and state income tax on his/her contributions to the Plan until he/she begins to withdraw contributions upon retirement, termination of employment, disability, or in a time of severe financial need. The Deferred Compensation Plan is designed to supplement Social Security, state retirement and other retirement or savings plans. Employees may save a minimum up to a maximum amount and employees within four years of their normal retirement date are eligible to save additional amounts. For details, the employee should visit the MS Deferred Compensation Plan website at: https://mdcplan.gwrs.com

Social Security

Employees are provided old age, survivors, and disability insurance coverage (Social Security) by the federal Social Security Administration. Participation is mandatory for each employee.

Active Military Duty Employee Benefits

Any reservists or employees called to active military duty should be advised of their rights regarding insurance, retirement, and leave. For notification, questions or concerns; the employee should contact his/her immediate supervisor or the Office of Human Resources.

5.4 Deceased Employee/Beneficiary Benefits

Retirement Benefits

If an employee is not vested, the person listed on the Public Employees' Retirement System (PERS) *Beneficiary Designation* (Form 1B) will receive the retirement contribution. If the employee is vested, Mississippi law states the surviving spouse and/or any dependent children are entitled to at least part of the retirement contribution, **regardless** of whether they are listed as beneficiary on the form. For more details, see the PERS Member Handbook, which is accessible on the PERS website: http://www.pers.ms.gov/ or call PERS at 1-(800) 444-7377.

Wages/Salary/Unpaid Travel Expenses

Section 91-7-323 of the Mississippi Code of 1972, Annotated, states the accrued salary should be paid in the following order: 1) surviving spouse, 2) children, if adults, 3) mother, father, 5) brothers and sisters, if adults. If any of the previous persons are minors or there is a question as to who is the next of kin, the wages may be paid to the chancery clerk of the county where the employee resided.

Accrued Personal Leave

Mississippi Code of 1972, Annotated, Section 25-3-97(6), states if an employee dies with personal leave accumulated, the money owed the employee for the leave earned shall be paid to the person designated by the employee. If the employee did not designate anyone, the money should be paid to the beneficiary recorded with the PERS. Therefore, the MSDH Office of Finance and Accounts will distribute payment to the person designated as beneficiary on the PERS *Beneficiary Designation* (Form 1B).

State Group Life Insurance

The beneficiary is the person(s) designated by the employee on the *State of Mississippi State and School Employees' Life Insurance Plan Enrollment/Change Request Form* (Form MSAPP 7/2009). In the event that more than one beneficiary is listed, the employee has the option of indicating if all beneficiaries should receive an equal share or specifying the dollar amount and/or percentage for each beneficiary, up to the total amount of the face value of coverage.

5.5 Employee Assistance Services

American Disabilities Act (ADA) Section 504 Assurance

MSDH will provide reasonable accommodations for employees with a known disability to assist the employee in performing his/her duties, provided these accommodations do not result in an undue hardship for the Department. If reasonable accommodations are provided, the employee must make his/her condition(s) known to the Department. MSDH will maintain a statement of any accommodations or aids provided to the employee under the ADA; however, this will not be a part of the employee's personnel file. The Department may require a statement from the employee's physician regarding the condition(s) for which he/she requests reasonable accommodations. A request for reasonable accommodations will have no bearing on promotions, transfers, layoffs, hiring, job assignments, career ladders, leave of absence (including sick leave), training programs or any other fringe benefits. For details, contact the immediate supervisor or the Office of Human Resources.

Drug-Free Workplace/Drug Awareness Program

MSDH, in accordance with the Drug Free Workplace Act of 1988, has established a policy for a drug-free environment (see Section Drug and Alcohol Policy). The policy has made it a Group III offense, in accordance with its discipline and grievance policies, for an employee to manufacture, distribute, dispense, possess, or use a controlled substance in the workplace. If an employee receives a conviction based on a criminal drug statute for a violation occurring in the workplace, he/she must notify the Department within five days of the conviction.

A drug awareness program has been established by MSDH to inform employees about the dangers of drug abuse in the workplace. This program provides information on the MSDH policy concerning a drug-free workplace and details on the penalties that may be imposed upon employees violating the policy during working hours or on the worksite. Information regarding drug rehabilitation/employee assistance programs and the names of drug counselors will be made available upon request.

Employee Assistance Program (EAP)

MSDH recognizes that a wide range of problems not directly associated with the employee's job

function can have an effect on job performance. Some of these problems may include, but are not limited to, marital and/or family stress, alcohol and/or drug misuse, alcoholism, drug addiction, emotional disturbances, gambling issues, financial difficulties. In cases where an employee cannot resolve the problems, resulting in unsatisfactory job performance, MSDH provides an EAP to aid employees and/or his/her immediate family in dealing with existing problems as well as preventing future problems. An EAP encompasses a wide range of offerings from dealing with problems to wellness training and awareness. MSDH recognizes that a mentally and physically healthy employee is an organizational asset and the availability of appropriate EAP services is beneficial to both the employee and the Department.

The objectives of the EAP are to reduce problems in the workforce and retain valued employees. The program is available to employees and his/her family members on a self-referral or employer referral basis. The individual's job performance does not have to be an issue. An employee or family member can utilize the program on a voluntary basis by directly contacting MEA Cares. Employee use of the EAP is strictly confidential between the employee and MEA Cares and will not negatively impact performance evaluation. An employee or eligible family member may each participate in up to eight (8) counseling sessions per calendar year without personal cost. Sessions beyond this amount may be scheduled and paid for directly by the employee.

Management may utilize the EAP to assist in eradicating performance problems. Management referral is based on the observation and documentation by the supervisor of an employee's job performance problems and/or the positive result of a drug test. Deteriorating job performance is the focus, not the cause or diagnosis of such deterioration.

Upon documentation of poor job performance, the employee will be informed using established policies and procedures of the Performance Appraisal Review system. If the problem continues, the supervisor will consult with superiors and may discuss the option of seeking assistance through the EAP with the employee in resolving his/her performance problem.

If the employee decides to accept assistance through the EAP, his/her supervisor will contact MEA Cares for a referral. Once referred, it is the employee's responsibility to bring his/her productivity up to a satisfactory level. Participation in the EAP is not mandatory and refusal of participation is not, in itself, a cause for disciplinary procedure. Any employee with job performance problems, whether participating in the EAP or not, will be held accountable for job performance improvement in accordance with existing personnel policies and procedures.

When a leave of absence is necessary to utilize the EAP, the appropriate leave requests will receive the same consideration that is presently extended for all leave requests. Current MSDH and state leave policies and regulations apply for services obtained under the program.

Information from the EAP may only be released with the written permission of the employee, in response to state or federal statutes/regulations, or from a court or other legal order. MEA Cares breach of confidentiality occurs without a release of information in the following situations: 1) Danger to self or others, and 2) Reports of physical or sexual abuse of a minor. Employees are assured that their jobs will not be jeopardized or affected in any way due to utilization of the EAP.

The implementation of this policy DOES NOT interfere with or negate any other standard practices, policies, or procedures. Nothing in this policy is to be interpreted as constituting any waiver of the responsibility of management to maintain discipline, nor does it waive management's right to carry out disciplinary measures. Nothing in this policy is to be interpreted as constituting any waiver of the responsibility of the employee to maintain satisfactory job performance.

Workers' Compensation

Workers' Compensation is a no-fault insurance plan providing wage replacement and medical benefits to employees injured during their employment. In 1948, the Legislature mandated the workers' compensation law to assist individual(s) by providing necessary provisions while being injured on the job. The Workers' Compensation Commission is created to supervise reported claims throughout the state of Mississippi.

Mississippi State Department of Health employees and contractor employees are covered by the workers' compensation law. Eligibility for medical and financial benefits begins the first day of employment. Any injury, illness, and disease (s) regardless the severity of the circumstances is covered including work related deaths. The insurance plan requires no deductible and is cost-efficient.

Prompt and accurate reporting is essential. Following the protocol for reporting injuries/illness will eliminate delay in receiving medical and financial attention to the employee. All injury/illness should be reported to the immediate supervisor, designee, or the next supervisor in command. The first report of injury form is used to report injury/illness. The form should be completed by the supervisor or designee and never the employee.

The Office of Human Resources is responsible for entering the information received regarding illness/injury of an employee into an electronic data base. Information is entered and is received by our third party administrator immediately to perform additional processing of the claim. To submit required documentation, please follow the procedures below:

Courier or Hand Delivered Documents

All courier and hand delivered forms must be in a sealed envelope marked "Confidential".

Address the sealed envelope to:

Office of Human Resources
Attn: Workers' Compensation
P.O. Box 1700
Jackson, MS 39215-1700

Facsimile Transmitted Documents

Fax completed forms to the Worker Compensation Liaison in HR at (601) 576-7499. **This is the only fax number to be used to submit the *First Report of Injury/Illness* and all other workers' compensation-related documents.**

- Fax should include a MSDH Confidential Fax Cover Sheet, Form 667E.
- Cover sheet information should include the total number of pages faxed (including the cover sheet) and the name, and phone number of the supervisor/designee sending the forms.

Workers' Compensation forms are available on the MSDH Intranet.

Reporting standards are to remain confidential in accordance to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rules.

Credit Union

The Department's Credit Union offers employees opportunities to save and borrow money. Employees and their dependents may join the Credit Union by paying a minimal membership fee. Payments to the Credit Union can be made through payroll deduction.

Direct Deposit

An employee's paycheck must be deposited directly into a financial institution (bank or credit union) once the employee meets the minimum Personal Leave accrual balance requirements of twenty-four (24) hours. Employees must then maintain an accrued Personal Leave balance of at least 24 hours at all times. Employees will be removed from the direct deposit program should their Personal Leave accrual balance fall below 24 hours. Authorization forms may be obtained from immediate supervisors or the Office of Finance & Accounts.

5.6 Mississippi Department of Employment Security

If, for reasons beyond their control, an employee becomes separated from his/her job, unemployment compensation may be available through the Mississippi Department of Employment Security. Eligibility for unemployment compensation is dependent upon the length of employment, reason for separation, earnings within the last year, and nature or type of work performed or assigned.

5.7 Mississippi Prepaid Affordable College Tuition Plan (MPACT)

MPACT, Mississippi's Section 529 (Internal Revenue Code of 1986) prepaid tuition plan, locks in a price today for the cost of tomorrow's college tuition without creating debt. It guarantees full payment of tuition and mandatory fees at any public institution of higher learning in Mississippi, regardless of increases in the cost of tuition between the purchase time of the contract and the time the child attends college. Mandatory fees are those required of all students attending a given school, apart from their course of study. MPACT does not cover books, transportation, room and board, or other college costs. However, for the basic cost of tuition and fees, MPACT can eliminate inflation as a factor in college planning. Also, MPACT is backed by the full faith and credit of the State of Mississippi.

Prepaid tuition is usable at any accredited college or university. MPACT pays full tuition and mandatory fees at Mississippi's public colleges. The benefit can also be used at private or out-of-state schools. Payments to such schools are based on average tuition and fee costs at Mississippi's public institutions in the year of attendance. Its benefits can be transferred to other children in the immediate family, including first cousins.

Any child in Mississippi who is 18 years of age or younger is eligible for an MPACT contract. If the purchaser is a Mississippi resident, the child may live in another state. Eligible purchasers are not limited to the parents or grandparents of the child. Aunts and uncles, family friends, and other interested parties, may purchase MPACT contracts. There are also provisions for corporations and nonprofit organizations to participate.

Contracts may be purchased for a community college, university/senior college, or a combination of the two. Contracts are available for one year of community college to maximum of five years at a university. Owners of existing four-year contracts may purchase an additional year. MPACT offers a variety of payment options, including single lump sum payments, monthly payment plans, and partial down payments followed by monthly payments. All MPACT payments are refundable with interest, less applicable fees.

Earnings from an MPACT contract are exempt from Mississippi income tax. In addition, payments into the program are deductible for Mississippi income tax purposes. Earnings from an MPACT contract are exempt from federal income tax when used to pay tuition and mandatory fees.

5.8 Drug and Alcohol Policy

Overview

MSDH has adopted a drug and alcohol testing policy for its employees. MSDH has implemented this policy and will conduct testing pursuant to Mississippi Code of 1972, Annotated, §71-7-1 through 71-7-33, Mississippi's Drug and Alcohol Testing Act, and each employee is hereby advised of the existence of the Act (the "Act"). MSDH and its employees have certain rights and obligations specified in the Act. MSDH finds, as a matter of policy, that employees should not use, possess or sell illegal drugs and should not be under the influence of alcohol or drugs, including misuse of prescription drugs, while on duty. Any employee who tests positive for drugs or alcohol may be immediately terminated from employment with MSDH.

All current and prospective employees will be required to review this policy and sign a consent form agreeing to be bound by this policy as a condition of continued employment or acceptance of employment. Any employee with questions about any aspect of this policy should contact the Director of Human Resources, who will serve as director of MSDH's drug and alcohol testing program.

Circumstances Under Which Testing Will Occur

The following are circumstances under which MSDH will/may require drug and alcohol testing:

a. *Pre-Employment Testing*
MSDH may require, at its discretion, applicants chosen for positions to submit to a pre-employment drug and alcohol test as a condition of the employment application. Refusal to submit to the test will be grounds for denial of the application. A confirmed positive test result will also be a basis for denial of the application.

b. *Reasonable Suspicion Testing*
MSDH will follow a reasonable suspicion drug and alcohol testing, which is based on a belief that an employee is using or has used drugs and/or alcohol in violation of this policy. The employer's belief of reasonable suspicion to test will be drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience and may be based upon, among other things, the following:

1. observable phenomena, such as direct observation of drug or alcohol use and/or symptoms or manifestations of being under the influence of a drug or alcohol;
2. abnormal conduct or erratic behavior while at work, absenteeism, tardiness or deterioration in work performance;
3. a report of drug use provided by reliable and credible sources and which has been independently corroborated;
4. evidence that an individual has tampered with a drug and alcohol test during his employment with MSDH;
5. information that an employee has caused or contributed to an accident while at work (see Section on Post-Accident Testing); or
6. evidence that an employee is involved in the use, possession, sale, solicitation or transfer of drugs or alcohol while working or while on MSDH premises or while operating any Department vehicle, machinery or equipment.

Neutral Selection/Random Testing

Neutral selection/random testing may be required by MSDH for covered employees, as defined in this policy. MSDH, through an independent provider, will conduct neutral selection tests of employees who are engaged in activities affecting public health.

Post-Accident Testing

MSDH, through an independent provider, shall test for drugs and/or alcohol in the event there is an on-the-job vehicular accident. The employee should make himself/herself available for alcohol testing within eight (8) hours following the accident (two hours, if at all possible). The drug test must be conducted within 32 hours of the accident.

Covered Employees

For purposes of this policy, employees and contract workers engaged in activities affecting public health can be subject to neutral selection/random drug and alcohol testing.

Substances Tested For

MSDH's drug and alcohol testing will screen for the following substances: alcohol, marijuana, cocaine, amphetamines, opiates and phencyclidine (PCP or Angel Dust). MSDH reserves the right to add additional substances to the testing protocol on a determination that the best interests of the Department will be served. The addition of a substance or substances to the testing

protocol will be following thirty (30) days notification of the addition.

Effect of a Positive Test

Any employee who has a confirmed positive test result for any of the substances listed above or who otherwise violates this policy may be immediately terminated. For purposes of this policy, a refusal to submit to testing when requested to do so will be treated as a positive test result and may result in immediate termination.

Drug and Alcohol Testing Procedures

MSDH shall contract with a provider who will conduct all of the Department's drug and alcohol testing services, including specimen collection, chain of custody procedures, obtaining necessary laboratory results, medical review officer services and any other services incident to the drug and alcohol testing program. Testing will conform to scientifically- accepted analytical standards. A more detailed version of the testing procedure is available from the Office of Human Resources.

Employees and job applicants chosen for a position shall be allowed to provide notice to the Department, through the provider, of current or recently used prescription or nonprescription drugs at the time of the taking of a specimen. This written documentation is only necessary in the event that the employee tests positive in the drug screen.

Confidentiality

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the Department (or the provider on its behalf) through its drug and alcohol testing program, are confidential communications except under certain circumstances, as allowed by the Act.

All information obtained shall become property of the Department. MSDH will not release information related to drug and alcohol test results to any person other than the covered employee or job applicant, unless:

a. the job applicant has, in writing, expressly granted permission for the employer to release such information; or
b. it is necessary to introduce a positive confirmed test result into an administrative or judicial proceeding where the information is relevant to the hearing or proceeding; or
c. the information must be disclosed to a federal or state agency or other unit of the state or

United States Government as required under law, regulation or order, or in accordance with compliance requirements of a state or federal government contract; or

d. disclosed to a drug abuse rehabilitation program for the purposes of evaluation or treatment of an employee; or

e. there is a risk to public health or safety that can be minimized or prevented by the release of such information provided, however, that unless such risk is immediate, a court order permitting the release shall be obtained prior to the release of the information.

Contesting a Test Result

An employee who receives a confirmed positive drug and/or alcohol test result may contest the validity of the test or provide an explanation for the positive result. An employee who has a confirmed positive test result will be informed of the result in writing by the Department and may be immediately terminated. The employee has ten (10) working days to submit a written explanation as to why the test result is invalid and the employee may request a retest of the specimen at his/her own expense. If the employee's explanation is unsatisfactory or if the employee fails to submit a timely written explanation, the test is considered final and the employee may be terminated.

5.9 Employee Worksite Wellness Policy

The purpose of the Employee Wellness Policy is to inform employees of the various programs that offer public health services free to all MSDH employees. The goal is to promote and maintain health and wellness activities for employees to sustain a healthier lifestyle. The Employee Worksite Wellness policy illustrates the many public health services as a benefit to employees as well as demonstrating the positive, engaging workplace that MSDH is endeavoring to provide. The programs consist of the following services:

- Breastfeeding/Lactation Program
- Employee Influenza Immunization
- Tuberculosis (TB) Screening
- Immunization Provision for MSDH Employees
- Worksite Wellness Program

Breastfeeding

In recognition of the well-documented health advantages of breastfeeding for infants and mothers, MSDH provides a positive environment that recognizes a mother's responsibility to both her job and her child when she returns to work by acknowledging that a woman's choice to breastfeed benefits the family, MSDH, and society. MSDH strives to provide a supportive environment to enable breastfeeding employees to express their milk during work hours. This includes an agency-wide lactation support program administered by the Women, Infants, and Children's Nutrition Program (WIC). MSDH subscribes to the following worksite support policy. This policy shall be communicated to all current employees, included in new employee orientation training and the Family and Medical Leave Act (FMLA). **(See Section 6.5, General Agency Manual)**

Worksite Wellness Fitness Program

Fitness, Exercise and Sports Activities

The Mississippi State Department of Health (MSDH) promotes healthy living practices for all Mississippi residents, including MSDH employees. Agency employees are routinely exposed to the best public health practices the agency advocates for healthy living. In addition, the agency has a structured Employee Wellness Program with Wellness Coordinators for each department to help promote and encourage employee education and participation in programs and activities aimed towards improving employee fitness, health, well-being and quality of life. Employee participation, although encouraged, is strictly voluntary. **(See General Agency Manual; Section 2.16)**

Employee Influenza Immunization

Employee influenza immunization vaccination is mandatory for all MSDH employees annually regardless of their worksite and regardless of patient or community contact. Applicable employees

include:

- Contract employees
- Part-time employees
- Full time employees
- New Hires

(See MSDH Immunization Manual; **Section 1.4)**

Immunization Requirements for MSDH Employees

Immunizations or Screening Test Required or Recommended for MSDH Employees

MSDH employees who are eligible to receive the required or recommended immunization include all full-time, part-time, and contract staff. Each employee's immediate supervisor is responsible for initiating and documenting the employees' required immunizations and other screening tests within 30 working days of employment, i.e., hepatitis B, Measles, Mumps and Rubella. Administration of employee vaccine and/or screening tests (dates and results) will be recorded on the Employee Immunization and Screening Form (Form 708). Immunizations will also be recorded on the Form 125. **The Form 708 will be updated yearly.** There is no charge to eligible employees for vaccines or related screening tests that are require/recommended by MSDH. **(See MSDH Immunization Manual; Section 1.6)**

Department of Health Employee TB Screening

New Hire

The hiring supervisor shall ensure all new employees, including contract workers and volunteers, comply with the requirements below within five (5) working days of employment and prior to significant workplace exposure or contact with MSDH clients, patients or public. The results of tuberculosis testing for each employee shall be documented on Employee Immunization and Screening Record (Form 708),a part of the "New Hire Packet" and also in the TB Electronic Medical Record.

Annual Testing

All MSDH staff, contract workers, and volunteers shall comply with the annual testing requirement. It is both the employee's and supervisor's responsibility to ensure testing is performed within the annual 30-day testing period and results are appropriately recorded. Failure to comply with the annual TB evaluation process is a failure to follow management directives (Agency policy) and is a Group 2 offence. **(See MSDH Tuberculosis Manual, Section 8)**

6.1 Employee Work Schedules

Mississippi Code of 1972, Annotated, Section 25-1-98, requires that all state offices shall be open and staffed for the normal conduct of business from 8:00 a.m. to 5:00 p.m., Monday through Friday. The Mississippi State Department of Health (MSDH) and the Mississippi State Personnel Board (MMSPB) define a normal work schedule as forty (40) hours within a seven (7) day workweek. Up to one hour is allowed each day for lunch. Employees may be allowed up to two fifteen-minute breaks during the day, one in the morning and one in the afternoon. Breaks are a privilege rather than a right and shall not interfere with work deadlines or schedules.

For the purpose of leave regulations, employee is defined as an individual occupying a **P**osition **I**dentification **N**umber (PIN). Individuals working with the agency as consultants or independent contractors are not considered employees under these policies. Each part-time employee shall be provided a schedule of working hours. Employees in certain exempt positions, as designated by the State Health Officer, are employed for the duty required of them without respect to hours.

6.2 Flextime

The starting and ending time of each employee's workday must be approved by their immediate supervisor to ensure office coverage at all times. Employees are expected to be at their work location each workday at the designated time, unless otherwise specifically authorized in writing by their immediate supervisor. Employees reporting to work later than their designated starting time (i.e., "tardy") will be charged leave consistent with agency leave policy. The original establishment of flextime hours and any future modifications must have prior approval of the employee's supervisor.

Lunch can be a minimum of 30 minutes or a maximum of 60 minutes depending on flextime schedules established by an employee's supervisor. The approval and implementation of flextime is at the discretion of the Office Director or District Health Officer/District Administrator for their relevant unit(s). Supervisors must submit work schedules utilizing flextime to their Office Director, District Health Officer, or District Administrator, for final approval. Flextime schedules may be rescinded for special assignments, temporary duty, et al.

Supervisors may modify, disapprove, or cancel flextime schedules previously approved when, in their opinion, such action is in the best interest of the unit or department. Supervisors are expected to monitor and adjust staffing to handle anticipated workloads during normal working conditions and for anticipated abnormal workloads. Supervisors must maintain sufficient records necessary to support their time and attendance/payroll documents. Such documentation should include written approval of hours and any modifications thereto, and proper documentation of

leave for three (3) years after the issuance of the audit report.

The use of flextime is a discretionary benefit allowed to employees. Its implementation and use is governed by a unit's workload requirements. Office Directors, District Health Officers/Administrators, and unit supervisors are expected to implement these policies without adverse effect to on-going operations. Abuse of this benefit will result in the denial of flextime scheduling for the violating units.

6.3 Initial Employment

The date which is entered into the statewide human resources information systems as the employee's hire date for any appointment shall be the first date on which the employee reports for work. Requests to change this date once entered and processed by MMSPB must be submitted to the Executive Director of the MMSPB in writing by the State Health Officer, providing a justification for the requested change.

6.4 Holidays

Employees of MSDH are granted ten holidays each year. All offices of the agency will be closed on the following holidays:

January 1	New Year's Day
3rd Monday of January	Martin Luther King and Robert E. Lee's Birthday
Last Monday in May	National Memorial Day and Jefferson Davis' Birthday
July 4	Independence Day
1st Monday of September	Labor Day
4th Thursday of November	Thanksgiving Day
December 25	Christmas

In consideration of the public's need for agency services, the State Health Officer may authorize MSDH offices to remain open to the public on the following authorized holidays:

Third Monday in February	Washington's Birthday
Last Monday in April	Confederate Memorial Day
November 11	Veteran's Day / Armistice Day

Based on staffing needs for operation, employees must obtain prior approval to observe these holidays. If an employee receives supervisory approval to observe the holiday (i.e., is not required to report for work), no action is required as these are authorized state holidays.

Employees who work on these holidays will be granted equivalent compensatory time upon submission of a completed *Report on Compensatory Time/Overtime Earned* (Form 43) for supervisory approval.
All employees working on a holiday should have their actual work also recorded in the Kronos™ Time, Attendance and Leave Administration System. Work times may be recorded via punches (In & Out) at a Time Clock, Time Stamp (i.e., PC) or manually entered by the employee's supervisor.

Observation of legal holidays falling on a Saturday or Sunday will be determined by Proclamations from the Governor.
Part-time employees are awarded holidays on a pro rata basis (i.e., ½ time employees receive ½ of each holiday) when they are in pay status.

6.5 General Leave Policies

Employees accrue leave while on Personal, Major Medical, Administrative Leave, Military Leave With Pay, and Compensatory Time. An employee cannot accrue leave while in Leave Without Pay status. No recipient of full-time Educational Leave shall accrue Personal or Major Medical Leave while on paid Educational Leave.

Accurate records of leave accumulated and expended by each employee are maintained on a *Record of Leave* (Form 41). All Personal and Major Medical Leave is recorded in quarter hour increments and should match the leave amounts appearing in Kronos™. Refer to the Forms Manual for instructions on completing a *Record of Leave* (Form 41).

When an employee's years of service status changes, the new accrual rate is applied on the last working day of their anniversary month.

An employee utilizing Personal Leave for vacation or attending to personal business who becomes ill while leave is in progress will remain on the type of leave for the duration originally approved. If the employee becomes ill in advance of originally scheduled Personal Leave, the type and amount of leave may be amended. Should an employee become ill immediately following Personal Leave, refer to the procedures outlined in the section on Major Medical Leave.

Any employee who fails to report for work after being denied a request for Personal Leave by their supervisor because their absence would seriously impact the conduct of normal agency operations or provision of client services, will be charged Leave Without Pay.

<u>Timely & Accurate Leave Submissions</u>

Employees, supervisors and time keepers share responsibility for the timely and accurate submission of leave requests (Form 40) to Human Resources for inputting into the State 's Human Resources Information System. A completed Form 40 should be forwarded to HR as soon as practical after an employee's absence and by no later than 10 working days.

Supervisors may submit Form 40 for employees who are unavailable to submit the request themselves within 10 working days of taking leave.

Personal Leave

Accrual Rates

All full-time employees of MSDH, as provided for in Mississippi Code of 1972, Annotated, Section 25-3-93, accrue personal leave as follows:

Continuous Service	Accrual Rate Monthly	Accrual Rate Annually
1 month to 3 years	12 hours	18 days
37 months to 8 years	14 hours	21 days
97 months to 15 years	16 hours	24 days
Over 15 years	18 hours	27 days

Part-time employees accrue Personal Leave on a pro rata basis.

Computation

For the purpose of computing credit for Personal Leave, employees are considered to work not more than five (5) days or forty (40) hours each week. Earned Personal Leave for each employee is credited monthly at 12:00 midnight on the last working day of the month. It is unlawful for an appointing authority to grant Personal Leave in an amount greater than was earned and accumulated by the employee. There shall be no maximum limit to Personal Leave accumulation.

Usage

Employees are encouraged to use earned Personal Leave, upon advance approval of their immediate supervisor. Personal Leave may be taken for vacations and personal business. Requests to expend leave must be submitted on a *Request for Leave* (Form 40). Personal Leave must be used for illnesses of the employee or an immediate family member requiring an absence of one day or less and for the first day of an illness of the employee, or immediate family member, requiring an absence of more than one day. Refer to the Forms Manual for instructions on completing a *Request for Leave* (Form 40).

Separation of Employment from State Government

Upon separation of employment, an employee will be paid for not more than 30 days or 240 hours of accumulated Personal Leave. Unused Personal Leave in excess of 30 days will be counted as creditable service for the purpose of retirement. When it becomes known that an employee will separate from employment, a copy of the employee's up-to-date *Record of Leave* (Form 41) must be forwarded to the Human Resources Office for verification of accumulated leave. Payment for Personal Leave will not be made until an updated leave card is received by the Human Resources Office.

Note: Upon retirement, employees who elect to be paid for the maximum 240 hours of Personal Leave must report to work for at least one full hour on their last day of employment unless approved for Disability Retirement. Retiring employees who do not make an election for the maximum Personal Leave payment may take Personal Leave on their full final day of employment. Employees who are resigning may be approved for Personal Leave on their final day of employment and are not required to report to work.

The Payroll Branch of Human Resources must receive resignation and retirement notifications at least one full week prior to the monthly payroll cutoff date in order to be processed for the regular payroll. Notifications not satisfying this requirement will be processed for the next supplemental payroll.

Death of Employee

Notice of the death of an employee must be reported immediately to the Office of Human Resources. Should an employee die having accumulated Personal Leave, the salary or wages accumulated by the employee shall be paid to the person designated by the employee or the beneficiary of the employee as recorded with the Public Employees Retirement System (PERS). Accumulated Personal Leave is considered as unpaid wages or salary.

Payment

No employee shall be paid for accrued Personal Leave while still employed by MSDH. An employee will only receive payment for accrued Personal Leave upon separation of employment. (See previous section, Separation of Employment from State Government)

Emergencies

An employee may use accumulated Personal Leave upon prior approval of the immediate

supervisor or designee. However, when circumstances such as an illness or accident arise that are beyond the control of the employee, the employee must contact his/her immediate supervisor as soon as possible and notify them of the following: (1) nature of the problem, (2), location, address, etc. and (3) approximate time he/she will be able to return to duty. Upon returning, the employee is expected to complete a *Request for Leave* (Form 40) and submit documentation as required.

Inter and Intra-Agency Transfer

For transfers within the agency, a copy of the employee's *Record of Leave* (Form 41) must be forwarded to the new department. The original should be retained in the unit where leave was earned and taken.

Accrued Personal Leave is transferable between or among all state agencies, 4-year colleges, and universities. Select state junior/community colleges also allow inter-agency transfers of leave. The appointing authority will be furnished a statement of accrued leave when an employee transfers. Letters transferring leave to MSDH from another state agency should be addressed to the Office of Human Resources. Upon transfer, the leave accrual rate at the receiving agency will reflect the employee's total continuous service.
An employee transferring with a break in service must begin accruing leave at the rate established for new employees. Lump sum payment for Personal Leave and/or the lapse of at least one eight-hour workday between the separation date from one agency and the effective employment date at another agency denotes a break in service.

Major Medical Leave

Accrual Rates

All full-time employees of MSDH, as provided for in Mississippi Code of 1972, Annotated, Section 25-3-95, accrue Major Medical Leave as follows:

Continuous Service	Accrual Rate Monthly	Accrual Rete Annually
1 month to 3 years	8 hours	12 days
37 months to 8 years	7 hours	10.5 days
97 months to 15 years	6 hours	9 days
Over 15 years	5 hours	7.5 days

Part-time employees accrue Major Medical Leave on a pro rata basis.

Computation

For the purpose of computing credit for Major Medical Leave, employees are considered to work not more than five (5) days or forty (40) hours each week.

Earned Major Medical Leave for each employee is credited monthly at 12:00 midnight on the last working day of the month. It is unlawful for an appointing authority to grant Major Medical Leave in an amount greater than was earned and accumulated by the employee. There shall be no maximum limit to Major Medical Leave accumulation.

Usage

Major Medical Leave may be used for the illness/injury of an employee or immediate family member only after the employee has used one day of Personal Leave or Compensatory Time for each absence due to illness/injury, or Leave Without Pay if the employee has no accrued Personal Leave or Compensatory Time. Leave Without Pay may not be used voluntarily in lieu of Personal Leave or Compensatory Time for the first day of an illness of an employee or immediate family member.

For each absence due to illness of 32 consecutive working hours (combined Personal Leave, Compensatory Time and Major Medical Leave), Major Medical Leave shall be authorized only when certified by the attending physician. Physician is defined as a doctor of medicine, osteopathy, dentistry, podiatry, chiropractic, or nurse practitioner. Employees with insufficient Major Medical Leave may request Personal Leave or Leave Without Pay. However, the same documentation must be provided.

Major Medical Leave may be used without the prior use of Personal Leave or Compensatory Time to cover regularly scheduled visits to a doctor or hospital for the continuing treatment of a chronic disease/illness. A physician must diagnose the chronic disease/illness as requiring follow-up visits and must certify the diagnosis in writing in advance. For example, if an employee's or immediate family member's initial visit to the doctor results in a diagnosis of a chronic disease/illness, leave for this visit will be Personal Leave; however, subsequent visits certified by the attending physician will be Major Medical Leave. The employee must obtain re-certification from the physician of the need for continued treatment of a chronic disease/illness after each 12-month period. In addition to written certification by a physician, the employee must provide written documentation verifying each scheduled visit from the source of the medical treatment (doctor's office, hospital, etc.) to the leave record keeper. This documentation may be in the form of a stamped and dated appointment card, receipt, or other suitable verification that bears the name and address of the treatment provider. A copy of this documentation must accompany the *Request for Leave* (Form 40) when it is submitted to Human Resources.

Death of Immediate Family Member

An employee may use up to three days (24 hours) of earned Major Medical Leave for each occurrence of death in their immediate family requiring the employee's absence from work. No qualifying time or use of Personal Leave will be required prior to the use of Major Medical Leave for this purpose. The immediate family is defined as spouse, parent, stepparent, sibling, child, stepchild, grandchild, grandparent, son- or daughter-in-law, mother- or father-in-law or brother- or sister-in-law. Child is defined as a biological, adopted, foster child, or a child for whom the individual stands or stood in loco parentis. The relationship of the deceased family member must be notated on the *Request For Leave.* Refer to the Forms Manual for instructions on completing a *Request for Leave* (Form 40).

Separation of Employment from State Government

Upon separation of employment or death, all unused Major Medical Leave shall be counted as creditable service for the purpose of retirement. When it becomes known that an employee will separate from employment, a copy of the employee's up-to-date *Record of Leave* (Form 41) must be forwarded to the Human Resources Office for verification of accumulated leave. Employees transferring to another state agency without a break in service are responsible for notifying the Human Resources Office that they desire to have their leave transferred.

Death of Employee

Should an employee die having accumulated Major Medical Leave, such leave shall be treated in the same manner as if the employee had separated from employment with state government. There is no statutory authority to pay an employee's beneficiary for unused Major Medical Leave in the event of an employee's death.

Payment

No employee will be paid for accrued Major Medical Leave while still employed by MSDH except an employee who presents evidence of a physical condition that is such so he/she can no longer work in a capacity of state government. Such employees may be paid for not more than 120 days or 960 hours of earned Major Medical Leave.

Inter and Intra-Agency Transfer

For transfers within the agency, a copy of the employee's *Record of* Leave (Form 41) must be forwarded to the new department. The original shall remain in the unit where leave was earned and taken.

Accrued Major Medical Leave is transferable between state agencies, 4-year colleges, and universities. Select state junior/community colleges also allow inter-agency transfers of leave. The appointing authority shall be furnished a statement of accrued leave when an employee transfers. Letters transferring leave to MSDH from another state agency should be addressed to the Human Resources Office. Upon transfer, the leave accrual rate at the receiving agency will reflect the employee's total continuous service. An employee transferring with a break in service must begin accruing leave at the rate established for new employees.

Extended Leave

Requests

A request for Extended Leave (i.e., for other than qualifying conditions or events for which the employee would be eligible for FMLA benefits and employment protection) is subject to assessment by the agency. No leave (Personal Leave, Major Medical Leave, Leave Without Pay, or Compensatory Time) in excess of 30 consecutive days or 240 consecutive hours (a maximum of six weeks for part-time employees) will be granted without an assessment (i.e. physician statement, documented justification, etc.) by the agency. Extended leave beyond 240 consecutive hours requires approval by the State Health Officer.

Extended Leave shall also apply to immediate family members. For the purpose of Extended Leave, immediate family members are defined as spouse, parent, stepparent, sibling, child, stepchild, grandchild, grandparent, son- or daughter-in-law, mother- or father- in-law or brother- or sister-in-law.

Procedures

The employee should submit a written request, as soon as possible, to the immediate supervisor for approval/disapproval. The supervisor will submit a written recommendation to the District Administrator/Office Director. The District Administrator/Office Director will submit a written recommendation for approval/disapproval, along with justification, to the Human Resources Office no later than seven (7) working days prior to the start of the Extended Leave, if possible.

Upon completion of the assessment, the State Health Officer or designee will forward written approval/disapproval to the District or Office.

Family and Medical Leave Act (FMLA)

Definitions

Health Care Provider - Doctors of medicine or osteopathy; podiatrists; dentists; clinical psychologists; optometrists; chiropractors (when treatment consists of manual manipulation of the spine to correct subluxation as demonstrated by x-ray to exist); nurse practitioners; nurse mid-wives; Christian Science practitioners listed with the First Church of Christ, Scientist, in Boston, Massachusetts.

Parent - The biological parent of an employee or an individual who stands or stood in loco parentis to an employee when such employee was a child. This term does not include parents-in- law.

Reduced Leave Schedule - A leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Serious Health Condition - An illness, injury, impairment, or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider for a period of incapacity requiring absence from work of more than three consecutive workdays.

Son or Daughter - A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or 18 years of age or older and incapable of self-care because of a mental or physical disability.

Spouse - A husband, wife or partner, as defined or recognized under federal law for purposes of marriage.

Immediate Family Member - An employee's spouse, child, or parent.

Entitlement

FMLA entitles employees to take:

A. Up to 12 weeks (480 hours) of paid and/or unpaid, job-protected leave during any 12-month period for the following family and medical reasons:
   1. A serious health condition;
   2. A family member's serious health condition;
   3. Parental leave to care for a newborn or newly adopted or placed child; or
   4. Because of any qualifying exigency arising from an employee's family member on active duty (or one who has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

and/or

If the employee is an eligible family member or next of kin, the employee can have up to 26 workweeks (960 hours) of "Service Member Family Leave" during a single 12-month period to care for a covered service member who is:

- Undergoing medical treatment, recuperation, or therapy,
- Otherwise in outpatient status, or
- On the temporary disability retired list, for a serious injury or illness.

If FMLA covered leave is taken under A and B above, the combination of leave taken may not exceed 26 workweeks in a single 12-month period. Where medically necessary, leave may be taken on an intermittent basis or as a reduced work schedule.

Spouses employed by the State of Mississippi are jointly entitled to a combined number of workweeks of leave. A husband and wife, entitled under "A4" and "B" above, are limited to a combined total of 26 workweeks during the single 12-month period. However, if the leave is taken to care for a sick child or the serious health conditions of each other, or for the employee's own serious illness, this limitation does not apply.

Eligibility

An eligible employee is one who has been employed by the state for at least 12 months and has worked a minimum of 1,250 hours over the prior 12 months.

Notice to Agency Birth or Placement

If the necessity for leave is foreseeable, based on an expected birth or placement, the employee must inform the supervisor of his/her intention to take FMLA Leave. Leave for prenatal care may be considered FMLA leave time; therefore, the employee should apply for FMLA at the onset of prenatal visits.

Medical Treatment

When the necessity for leave is foreseeable, based on planned medical treatment, the employee should make a reasonable effort to schedule treatment so not to unduly disrupt the operations of the unit, subject to the approval of the employee's or the immediate family member's heath care provider, as appropriate.

Medical Treatment/Birth or Placement Procedures

1. The employee submits a *Family and Medical Leave (FMLA) Application* (Form 945), 30 days prior to the date that the leave is to begin, or as soon as foreseeable or

practicable, to his/her supervisor for approval/disapproval.

2. The employee's supervisor submits a written recommendation to the District Administrator/Office Director.
3. The District Administrator/Office Director submits written approval/disapproval, along with a *Family and Medical Leave (FMLA) Medical Certification Statement* (Form 947), to the Human Resources Office.
4. Upon completion of the assessment, written approval/disapproval shall be forwarded to the District or Office by the State Health Officer or designee.

If an employee has notice of the FMLA Leave requirements and fails to give 30 days' notice for foreseeable leave, with no reasonable excuse for the delay, the supervisor may deny FMLA Leave until at least 30 days after the date the employee provides notice to the supervisor of the need for FMLA Leave. An agency may require periodic reports from an employee on FMLA leave regarding the employee's status and intent to return to work. If the employee provides a *Family and Medical Leave (FMLA) Notice of Intention to Return to Work* (Form 946), even if the statement is qualified, entitlement to leave and maintenance of health benefits continues. However, if the employee gives an unequivocal notice of intent not to return to work, the agency's obligations to provide health benefits (except pursuant to COBRA requirements) and to restore the employee, end.

Application

The *Family and Medical Leave (FMLA) Application* (Form 945) shall include:

1. a *Request for Leave* (Form 40),
2. the employee's classification,
3. anticipated start date of leave,
4. expected date of return to work,
5. the reason for requesting FMLA Leave, and
6. *Family and Medical Leave (FMLA) Medical Certification Statement* (Form 947) from the health care provider of the employee or immediate family member.

If FMLA Leave is requested for the illness of a spouse, it must be indicated on the application whether the spouse is employed by the State of Mississippi and, if so, which agency. If FMLA Leave is requested for placement or adoption, the child's name and a copy of the appropriate legal document(s) is required.

MSDH has the responsibility of designating leave that is FMLA qualifying and for giving

notice of the designation to the employee; therefore, the application for FMLA Leave should be mailed or faxed to the Human Resources Office as soon as possible after the leave for a FMLA reason begins, even if medical information is not yet available. If the agency is aware that leave being taken is for a FMLA reason, and medical certification has not yet been received, the agency will initiate action to make a preliminary designation of the leave as FMLA and notify the employee that the time will be counted against the FMLA entitlement. The designation will become final upon receipt of medical information confirming that the leave is for a FMLA qualifying reason.

Medical Certification

As part of the qualifying process for FMLA, the employee must request their health care provider to complete a *Family and Medical Leave (FMLA) Medical Certification Statement* (Form 947). The statement includes the following broad categories of information:

- Name
- Name of ill family member (if applicable)
- Relationship of the ill family member to the employee (if applicable)
- Category of serious health condition under which the patient's condition qualifies
- How the medical facts meet the criteria of the health condition categories
- The approximate date the condition commenced
- If additional treatments are required
- If medical leave requiring the employee's absence from work is due to his/her own condition
- If leave is requested to care for a family member with a serious health condition, does the patient require assistance for basic medical or personal needs, safety, or transportation

The date of the statement and signature of the health care provider are required. If the health care provider is a Christian Science practitioner, a copy of his/her licensing certificate is required.

The employee must provide the medical certification statement within 15 calendar days of the *Family and Medical Leave (FMLA) Application* (Form 945) unless it is not practicable to do so under the circumstances. If the employing unit has reason to doubt the validity of the certification, it may require that the employee obtain the opinion of a second health care provider designated or approved by the agency, at the agency's expense, but not employed by MSDH on a regular basis.

If the second opinion differs from the original certification, the agency may require that the employee obtain the opinion of a third health care provider designated or jointly approved by the agency and the employee, at the agency's expense. The opinion of the third health care provider concerning the information previously certified shall be considered final and binding to the agency and the employee.

Intermittent Leave or Leave on a Reduced Work Schedule

FMLA leave may be taken intermittently or by a reduced work schedule, under certain circumstances. When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or by working a reduced schedule, only if the agency approves. The agency's approval is not required, however, for leave during which the mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.

Leave to care for a seriously ill family member or due to the employee's own serious health condition may be taken intermittently or by a reduced work schedule, whenever medically necessary. If an employee requests intermittent leave or leave on a reduced work schedule that is foreseeable, based on planned medical treatment, the supervisor may require the employee to transfer temporarily to an available alternative position for which the employee is qualified, with equivalent pay and benefits, which better accommodates recurring periods of leave than the employee's regular employment position. Only the time actually taken as FMLA Leave is charged against the employee's leave entitlement when leave is taken intermittently or on a reduced work schedule. For part-time employees and those who work variable hours, the FMLA Leave entitlement is calculated on a pro-rated basis by comparing the new schedule with the employee's normal schedule, (i.e., if an employee who normally works 30 hours per week works only 20 hours a week under a reduced work schedule, the employee's 10 hours of leave would constitute the FMLA Leave for each week the employee works the reduced schedule). For procedures, see the section Notice to Agency. In addition, an approved work schedule is required along with the dates that treatment is expected to be given and the duration of such treatment.

Medical Re-Certification

If an employee is unable to return to duty upon expiration of FMLA Leave, due to the serious health condition for which FMLA was approved (self or family members), a *Family and Medical Leave (FMLA) Medical Re- Certification Statement* (Form 948) from the employee's and/or immediate family member's health care provider to support the claim must be furnished within 30 days of the agency's request.

If the employee fails to furnish the requested certification within 30 days of the agency's request, the agency may recover the health insurance premiums it paid during the period of unpaid leave.

There is a 30-day grace period after the agreed upon date for payment within which the employee may make payment of the premium without affecting health benefit coverage. If the employee does not make the payment within the 30-day grace period, the agency may cease to maintain health coverage on the date the grace period ends or the agency may continue health coverage by making the employee's premium payments.

Usage

FMLA Leave may be taken only after the employee has used one day of Compensatory Time or Personal Leave for each instance, or Leave Without Pay if the employee has no accrued Compensatory Time or Personal Leave. If the employee requests to use Compensatory Time for the first day of an absence, the FMLA Leave period cannot begin until the following day since Compensatory Time may not be counted against the employee's FMLA Leave entitlement. Compensatory Time is not a form of accrued paid leave that an agency may require the employee to substitute for unpaid FMLA Leave. Leave Without Pay may not be used voluntarily in lieu of Compensatory Time or Personal Leave for the first day of an absence.

Leave without Pay for FMLA leave shall not be authorized before all accumulated Personal Leave or Medical Major Leave has been taken.

Restoration

Employees, with the exception of certain "key employees", are entitled to be restored to their positions after returning to duty from FMLA Leave. The employee will:

- be entitled to be restored by the agency to the position held by the employee when the leave commenced, or the employee will be entitled to be restored to an equivalent position with equivalent benefits, pay status, and other terms and conditions of employment;

- not lose any employment benefit accrued prior to the date on which leave commenced;

- not accrue any employment benefits during any period of unpaid FMLA leave, and;

- not be entitled to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

An employee who qualifies as a "key employee" may be denied restoration to employment. A "key employee" is one who is salaried and among the highest paid 10% of the employees in state government. The agency may deny restoration to a "key employee" only as necessary to prevent substantive and grievous economic injury to agency operations. The agency may refuse to reinstate certain highly paid "key" employees after using FMLA Leave while health benefits are maintained. However, in order to do so, the agency must:

a. Notify the employee of his/her status as a "key employee" in response to the employee's notice of intent to take FMLA Leave.

b. Notify the employee as soon as the agency decides that it will deny job restoration and explain the reasons for the decision.

c. Offer the employee a reasonable opportunity to return to duty from FMLA Leave after giving the notice.

d. Make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee requests restoration.

Maintenance of Benefits

At the end of an employee's FMLA Leave, benefits must be resumed in the same manner and at the same levels as provided when the leave began, subject to any changes in benefit levels affecting the entire agency that may have taken place during the period of FMLA Leave, unless otherwise elected by the employee. Upon return from FMLA Leave, an employee cannot be required to requalify for any benefits the employee enjoyed before FMLA Leave began (contact the Employee Services/Benefits Branch of the Human Resources Office).

Application Renewal

Eligible employees may make application for renewal of FMLA benefits on or soon after the one-year anniversary date of their prior year's approval with proper medical certification. MSDH will allow renewal applications to be retroactive for no more than 45 days for eligible medical circumstances which are ongoing. To avoid leave administration errors and corrections, employee should not delay making application for renewals.

Health Insurance

The agency shall maintain group health insurance coverage (employee portion only) for an employee on FMLA Leave, whenever such insurance was provided before the leave was taken, and on the same terms as if the employee had continued work.

The agency shall recover premiums it paid for maintaining group health plan coverage during any period of unpaid FMLA Leave, if the employee fails to return to duty after the employee's FMLA Leave entitlement has expired, unless the reason the employee does not return to duty is due to:

a. The continuation, recurrence, or onset of a serious health condition that would entitle the employee to FMLA Leave (either affecting the employee or an immediate family member), or
b. Other circumstances beyond the control of the employee.

If an employee fails to pay his or her share of health benefit premiums after the agency has continued health coverage for the employee by paying the employee's share and the employee fails to return to duty at the end of the FMLA Leave period, in circumstances where recovery is allowed,

the agency shall recover all of the health benefit premiums it paid (the employee's share) during the period of unpaid FMLA Leave. If the leave is unpaid, the employee will be responsible for making payments to the Human Resources Office for all benefits other than the employee's portion of the group health insurance coverage.

Seniority, Major Medical and Personal Leave

The employee is not entitled to accrue any additional benefits or seniority during unpaid FMLA or Extended Leave. Benefits accrued at the time leave began, however, must be available to the employee upon return from leave.

With appropriate documentation, an employee is entitled to use all accrued major medical leave for recuperation from illness.

Life Insurance

If the employee desires to continue life insurance, disability insurance, or other types of benefits for which he/she typically pays during unpaid FMLA or Extended Leave, the employee will be responsible for the premiums.

Retirement

With respect to retirement, any period of FMLA Leave or approved Extended Leave will be treated as continued service (no break in service) for purposes of vesting and eligibility to participate.

Return to Duty from FMLA Leave

As a condition for returning to duty, certification is required from the employee's health care provider that the employee is able to resume his/her duties. The certification should address the nature of the illness or duration of the absence in regards to the particular health condition that caused the employee's need for FMLA Leave.

Failure to Return to Duty

An employee who does not return to duty for at least 30 calendar days after the expiration of FMLA Leave is considered to have failed to return to duty and the failure may be treated as a resignation.

Leave Without Pay

An employee may request voluntary Leave Without Pay for the extension of Major Medical Leave, Personal Leave, or for other special situations. Requests for Leave Without Pay to extend Major

Medical Leave are handled according to the *Procedures* for Extended Leave.

Approval Criteria

Requests for **Leave Without Pay** will be handled on an individual basis and granted at the discretion of the agency. The following guidelines will be used to evaluate each request:

a. The agency's ability to sustain the proposed absence.
b. The availability of a temporary replacement for the employee.
c. The duration of other leave granted since these policies were adopted.
d. If Leave Without Pay should be granted to extend Major Medical Leave when the health of the employee necessitates the absence.

No Leave Without Pay will be granted to extend Major Medical Leave, outside of FMLA, in excess of 30 consecutive days or 240 consecutive hours unless the agency has determined there to be extenuating circumstances. Extensions of Leave Without Pay for reasons other than sickness or the disability of an employee or immediate family member will be approved only in emergencies.

Authorization

Except as approved by the Office Director, District Health Officer/District Administrator and Human Resources Director, Leave Without Pay shall not be authorized before all accumulated Personal Leave has been taken and, in cases of sickness, until all accrued Major Medical Leave and Personal Leave have been taken. This provision does not apply in cases of disciplinary action (i.e., suspensions) or preapproved voluntary Leave Without Pay.

An employee may choose to take voluntary Leave Without Pay in lieu of Personal Leave and Major Medical Leave when out for an extended length of time and receiving payment from Worker's Compensation. Requests for voluntary Leave Without Pay will be handled according to *Procedures* listed in the Extended Leave section and justification will be provided according to the agency's ability to sustain the proposed absence.

Notification

As soon as it becomes known that an employee is to be placed on Leave Without Pay, the Human Resources Office must be notified by telephone of the date(s) and time period the Leave Without Pay will cover and proper leave forms should be forwarded to the Human Resources Office for payroll purposes.

Loss of Employment Status

The failure of an employee to promptly report to duty at the expiration of the Leave Without Pay, unless satisfactory reasons have been submitted in advance, may result in dismissal.

Leave Without Pay may result in the termination of service if an employee accepts a position of employment with pay during this leave. In this instance, an immediate investigation will be conducted.

Application

To request Leave Without Pay, application is made by letter. Attach three original *Request for Leave* (Form 40) and an up-to-date copy of the employee's leave card for verification of all leave taken. The application package should be forwarded to the Human Resources Office.

Computation

Employees in a Leave Without Pay status for a portion of a calendar month will accrue Major Medical Leave and Personal Leave based on the number of hours they were in pay status (See Appendix A at the end of this section). Tenths of an hour must be accumulated until they total 10 tenths (1 hour) before an employee may be granted one hour of leave.

Holiday Compensation

An employee will not be paid for holidays if in a Leave Without Pay status immediately before and/or after a legal holiday.

Military Leave

Employees who are members of the military reserves or former members of the military are entitled to fifteen days of paid leave of absence when ordered to duty to participate in training or military exercises. Such employees are further entitled to unpaid leaves of absence from their respective duties in excess of the previously outlined fifteen days without loss of time, annual leave or efficiency rating until relieved from duty when ordered to duty as above.

The Uniformed Services Employment and Re-Employment Act of 1994, a federal law, requires employers to allow up to five years of unpaid leave to a soldier who leaves employment to perform military duty, performs that duty satisfactorily, and requests his or her job back within the statutory time limits. The soldier must be re-employed without regard to whether the military duty was voluntary or involuntary. The time limit is not capped during period.

Employees are required to submit an order or statement from the appropriate military officer as evidence of active duty for which leave is taken. The order or statement must accompany a *Request for Leave* (Form 40). The provisions in this section apply only to employees who have been discharged or released from the Armed Forces under conditions other than dishonorable.

Mobilization

Reservists, who are called to emergency duty by the state to quell riots or provide services in disasters such as floods, earthquakes, or hurricanes, shall be granted Administrative Leave after exhausting Military Leave.

Any employee who is drafted, enlists, or is inducted into the Armed Forces for active duty during a period of declared war or presidential emergency, shall be granted Leave Without Pay for the period of military commitment.

An employee called to active military duty and/or on Military Leave in excess of 15 days may elect to use accrued Personal Leave concurrent with Military Leave. Upon submission of the appropriate documentation, an employee who is on Military Leave in excess of 15 days may use accrued Major Medical Leave concurrent with Military Leave. An employee shall be given Military Leave for the physical examination required in connection with induction into the Armed Forces.

Returning to Work After Military Duty

To be eligible for protection under USERRA, the employee must report back to work or apply for reemployment within the following guidelines:

1. If the employee served fewer than 31 days or was away from MSDH for other qualified reasons, the employee must return to work the next regularly scheduled workday.

2. If the employee served more than 30 days but fewer than 181 days, the employee must notify his/her supervisor in writing of his/her intention to return to work within 14 days after completion of service.

3. If the employee served more than 180 days, the employee must notify his/her supervisor in writing of his/her intention to return to work within 90 days after completion of service.

4. Upon notification of intent to return to work, the employee must provide military discharge

documentation to his/her supervisor that establishes timeliness of application for reemployment and length and character of the staff member's military service.

Employees on Leave Without Pay who are returning from military service will be returned with the same status and shall be entitled to the privileges that would have been accorded the employee had service been continued in that position, such as:

a. Major Medical Leave and Personal Leave accumulated and unused by the employee at the time of entrance into the military service;
b. Salary adjustments resulting from changes in the compensation plan; and,
c. Consideration for promotions which the employee might have received had service been uninterrupted.

Upon termination of military duty, an employee is entitled to re-employment rights to his/her former position or to a position in the same classification. An employee is required to apply for reinstatement within 90 days of discharge. During the 90 days, the employee will continue on Leave Without Pay.

A returning employee who has been disabled during military service to the extent that the employee has physical or mental limitations in performing former duties will be reassigned or transferred, whenever possible, to other duties for which the employee is qualified. Such reassignment, if possible, will be within the same compensation range as the employee's position.

Military Leave used in excess of the 15 days allowed that does not meet the requirements of Leave Without Pay may be charged against accumulated Personal Leave, Major Medical Leave, or may be taken as Leave Without Pay. During this time, the employee will not accrue leave.

Computation

Refer to the Forms Manual for instructions on completing a *Request for Leave* (Form 40).

Administrative Leave

For the purposes of this section, Administrative Leave is defined as discretionary leave with pay (other than Personal Leave or Major Medical Leave) granted by the Governor or the appointing authority in extraordinary circumstances. An employee requesting Administrative Leave must have prior approval that may be granted in the following instances:

Court Duty

An employee serving as a juror, witness, or party litigant may be granted Administrative Leave as follows:

1. Employees summoned to serve as a juror may be granted Administrative Leave.
2. Employees subpoenaed to serve as a witness in a criminal court case may be granted Administrative Leave.
3. A request for Administrative Leave in regard to serving as a witness or party litigant that does not meet the above criteria must have prior approval of the State Health Officer.

Employees must verify appearances and/or services rendered with a certified statement from the Court Clerk as to the dates and times such services were rendered and/or appearances made, along with a copy of the court summons. Copies of these documents must be forwarded to the Human Resources Office and a copy must be maintained in the employee's leave file.

Employees serving as a party litigant being sued in their official capacity with MSDH or if they are involved in a court case that is related to their work at MSDH are not required to take leave.

Disciplinary Action

Employees may be placed on Administrative Leave during investigations pending disciplinary action, upon approval of the State Health Officer and Human Resources Director.

Military Duty

An employee who has exhausted accrued Military Leave but is required to be absent from work due to military obligations specified in the section on Military Leave may be granted Administrative Leave, without pay.

Inclement Weather

The governor or appointing authority is authorized to grant Administrative Leave With Pay to state employees in the event of extreme weather conditions or in the event of a man-made, technological, or natural disaster or emergency. Whenever the governor declares state offices to be closed due to inclement weather conditions, MSDH will activate its emergency plan. This plan will designate employees who must report to work to maintain essential functions and handle communications (refer to the Procedures for Disasters Manual).

The Governor's Proclamation may not apply statewide to local and district health offices, because weather conditions vary considerably within the state. The District Health Officer or District Administrator will determine the closing of district offices and county health departments after an assessment of local conditions. The closing of county health departments must be reported to the Director of Field Services or the State Health Officer by 10:00 a.m. (See Section 4.0, Standby/Callback – Inclement Weather and Emergency Response for additional notification reporting.)

Any employee on previously approved leave shall be eligible for such administrative leave granted by the Governor or appointing authority, and shall not be charged for his or her previously approved leave. **It is the local supervisors' responsibility to change and record the authorized administrative leave time for their employees in other leave statuses while under these circumstances.**

Educational Leave

An employee participating in the agency scholarship program shall be granted Administrative Leave to record the hours of scholarship leave taken. **No recipient of full-time Educational Leave shall accrue Personal Leave or Major Medical Leave while on paid Educational Leave.**

Computation

Refer to the Forms Manual for instructions on completing a *Request for Leave* (Form 40).

Drug-Free Workplace

Any employee of the Agency may be granted leave to avail himself/herself of a substance abuse assistance/rehabilitation program according to the provisions of the sections on Personal Leave, Major Medical Leave, and Extended Leave. The Agency reserves the right to require certified medical statements in order to determine under what conditions employees will be permitted to return to work.

Leave of Absence

An employee, upon written application to and in the discretion of the appointing authority, can be granted a leave of absence without pay up to 12 months without forfeiting previously accumulated continuous service.

A State Service employee, with consent from the appointing authority and concurrence of the

Mississippi State Personnel Board Executive Director, may be placed on a leave of absence for the purpose of accepting an assignment in non-State Service for a period not to exceed one year.

Leave of absence should not be confused with leave without pay. A leave of absence is for the purpose of a State Service employee accepting another position in non-State Service. Leave without pay is granted to an employee, at the discretion of the appointing authority, in the absence of paid leave.

6.6 Compensatory Time

Employee Classifications

For the purposes of Compensatory Time, employees of MSDH are divided into two categories, (1) Non-exempt employees, subject to the Federal Fair Labor Standards Act (FLSA), and (2) Exempt employees, who are not subject to the Federal FLSA.

Exempt Employees

Exempt employees are allowed to receive Compensatory Time but at the rate of one hour for each hour worked (in pay status) over 40 in a single workweek. Supervisors can identify exempt employees by referring to the relevant organization chart. Those employees flagged with an “EE”, “EA”, or “EP”, are classified as exempt.

Non-Exempt Employees

FLSA establishes requirements that determine the rate of compensation for all time worked over 40 hours during a single workweek. Non-exempt employees are classified as such according to their status relative to the FLSA. Supervisors can identify non-exempt employees by referring to the relevant organization chart. Those employees flagged with an “N” will be awarded FLSA Compensatory Time at a rate of time and one-half. **Non-exempt employees may accrue no more than 240 hours of FLSA Compensatory Time.**

General Policies

When time off is requested for voluntary Personal Leave or for the first day of an illness, any balance of Compensatory Time will be reduced in lieu of Personal Leave.

Employees working more than 40 hours per week must have advance approval of the immediate supervisor.

Employees who work more than 40 hours per week, after being instructed not to do so, may be disciplined under State Personnel Board disciplinary policies and procedures.

The work week is defined as 12 a.m. Monday to 12 p.m. Sunday.

Whenever possible, Compensatory Time should be taken within the same week in which it is earned. However, when an accumulation of Compensatory Time is necessary, a *Report on Compensatory Time/Overtime Earned* (Form 43) should be completed and timely submitted to Human Resources. Human Resources will only accept an approved *Report on Compensatory Time/Overtime Earned* submitted within 45 days of the date(s) the Compensatory Time was earned, except during periods of declared emergencies; however, none will be accepted beyond 90 days of date(s) earned. It is therefore essential that the employee and his/her supervisor to be diligent in tracking and timely submitting all authorized Compensatory Time. Compensatory Time will only be considered for work performed outside of the normal workday.

Meetings

Employees' attendance at lectures, meetings, professional organizations, and training programs is counted as working time and eligible for an award of Compensatory Time, if all of the following criteria are met:

a. outside of normal working hours;
b. employee has been assigned to attend by the supervisor; and
c. content of the meeting is job-related.

If an employee attends an independent college, school, or trade school, afterhours and on his own initiative, the time is not considered Compensatory Time, even if the courses are related to his/her job.

Travel

Normal travel from home to work is not considered work time and is, therefore, not eligible for an award of Compensatory Time. This is true whether the employee works at a fixed location or at different job sites. Employees are granted Compensatory Time for all hours worked outside of normal working hours on a special one-day assignment in another city. Time spent traveling from one jobsite to another during the workday is considered work time that is part of the normal workday. All travel time outside of the normal workday may be considered Compensatory Time, if supervisory approval was granted in advance.

Compensatory Time will not be granted for hours spent traveling outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile. Any time that the employee

spends traveling as a passenger on a weekend will be counted as Compensatory Time if the travel time exceeds the hours that the employee would normally work during the week.

An employee who chooses to commute, rather than stay overnight at the site of a meeting, can only be awarded Compensatory Time when prior supervisory approval has been granted and the cost of commuting (including the salary cost of Compensatory Time) is less than, or equal to, the cost of the overnight stay. If the normal workday has been completed and the employee is required to return to work to travel a substantial distance for an emergency, Compensatory Time for all hours worked outside the normal workday will be granted.

Callback/Standby

An employee who is required to remain on callback/standby at home or is allowed to leave a message where he/she can be reached is not working while on callback/standby and no Compensatory Time shall be earned.

Emergency Conditions
Compensatory Time is granted to employees working under emergency conditions, in the event of a disaster, or closure due to inclement weather.

Dual Employment

The U.S. Department of Labor ruled that, for the purpose of FLSA, various agencies of state government are not separate employers but constitute one employer, regardless of the fact that they are appropriated funds separately. Therefore, those individuals who work for two agencies (i.e., full time at one agency and part time at another, or for two sub-agencies within a master agency), two different institutions of higher learning, or at an institution of higher learning and another state agency, are considered to be employed by a single employer (State of Mississippi). Such employees are considered joint employees and may be eligible to earn FLSA Compensatory Time or overtime compensation based on the combination of hours worked during the workweek period.

Under FLSA regulations, eligible (non-exempt) employees working for more than one agency or institution of higher learning, or a combination of the two in the same workweek, must be paid overtime or must be provided FLSA Compensatory Time for a combination of hours worked in excess of 40 hours. The MMSPB has designated that the second or third employer will be responsible for providing overtime pay or FLSA Compensatory Time according to the current FLSA rules issued by the U.S. Department of Labor, Wage and Hour Division.

Use of Compensatory Time

Exempt and non-exempt employees may take Compensatory Time in one-quarter hour increments.

Compensatory leave shall be used prior to Personal Leave when voluntary time off is requested, as well as in circumstances when Personal Leave must be used in conjunction with Major Medical Leave.

Compensatory Time shall be used in lieu of Personal Leave or Leave Without Pay for the first day of an illness of an employee.

For exempt employees, all accrued Compensatory Time must be taken prior to separation date or it is forfeited. Non-exempt employees, who have an FLSA Compensatory Time balance at the time of separation from the agency, will be paid for their unused Compensatory Time.

All hours earned by the employee outside of the normal workday and before the accumulation of 40 hours in a single workweek, at the discretion of the supervisor, may be used to offset time allowed away from the workplace during the same workweek. Example: An employee who works one hour past 5 p.m. on Tuesday is allowed to report to work at 9 am on Wednesday. Therefore, at the end of the workweek, no compensatory time is granted.

All hours an employee is on leave (Personal Leave, Major Medical Leave, or Compensatory Time), shall be counted as work hours while in pay status and shall be applied to the 40-hour week as worked. Example: A non-exempt employee is on Personal Leave on Monday, works the remainder of the week, and is required to work two hours after 5 p.m. on Friday. The employee shall be granted three hours FLSA Compensatory Time at the rate of time and one- half. An exempt employee would be granted two hours Compensatory Time at the rate of equal amount earned for time worked.

Crediting of Compensatory Time

Non-exempt employees shall be awarded FLSA Compensatory Time at the rate of one and one-half hours for each hour worked in pay status over 40 in a single workweek. If the non-exempt employee works less than one hour, Compensatory Time shall be awarded based on the time worked.

Exempt employees shall be awarded Compensatory Time at the rate of equal time earned for the amount of time worked over 40 hours in a single workweek.

There is no minimum amount of overtime required in order to earn Compensatory Time.

6.7 Holiday & Office Closure Compensatory Time

Upon advance approval of an employee's supervisor, MSDH will award Holiday Compensatory Time for hours worked on any of the statutory holidays listed or for the hours worked on any day that state offices are closed by proclamation of the governor.

Use of Compensatory Time

Compensatory Time may be used in lieu of Personal Leave or Leave Without Pay for the first day of an employee's illness.

All accrued Holiday Compensatory Time should be scheduled for use by the employee within a reasonable time after the accrual and must be used in lieu of voluntary Personal Leave or as the first day of an illness in conjunction with Major Medical Leave.

Crediting Holiday Compensatory Time

Full-time employees must be in pay status in order to accrue Holiday Compensatory Time. Employees will receive Holiday Compensatory Time for only the number of hours they are in pay status on the holiday.

Part-time employees are awarded Holiday Compensatory Time on a pro rata basis (i.e., one- half time employees receive one-half of each holiday) when they are in pay status. Example: If an employee is scheduled to work four hours on the holiday, the employee shall earn four hours of Holiday Compensatory Time. However, if the employee is not scheduled to work on the holiday, Holiday Compensatory Time is not earned. One hour is earned for each hour worked while in pay status.

Compensatory Time Recordkeeping

All Compensatory Time earned and taken by exempt and non-exempt employees will be documented through records maintained in the employee's organizational unit and subject to monitoring by the supervisor. Supervisors will be held accountable for the accuracy of the information and auditing will be conducted by the Office of Internal Audit. Justification for denial of use or the earning of Compensatory Time must be documented by the supervisor and approved by the District Administrator, District Health Officer, or Office Director. Supervisors must approve all non-holiday Compensatory Time before it is earned. Supervisors must also approve the use of all Compensatory Time before it is taken. Regular Compensatory Time shall be submitted to the Human Resources Office.

All Compensatory Time earned may be transferred within the agency with written verification

by the previous supervisor. Compensatory Time may not be transferred between state agencies.

All Compensatory Time records are to be maintained for a period of three years after the state audit has been accepted.

6.8 Absence for Out-Service Training

An employee who attends a conference, workshop, or other non-college credit, agency-endorsed, out-service training program, is considered to be on assignment and, therefore, is not placed on leave. Out-service training in which college credit is earned is under the auspices of the Scholarship Program and subject to rules set forth in the Scholarship Policies and Procedures (see Professional Enrichment section of this manual).

6.9 Leave Recordkeeping Procedures

Employees shall complete his/her section of the *Request for Leave* (Form 40) stating the time off desired from duty, prior to the time such leave is taken. The employee must submit the form to his/her immediate supervisor for approval and then forward it to the unit's record keeper who shall complete the form and forward to the Human Resources Office.

All leave taken by employees, including Compensatory Time, shall be reported on a *Request for Leave* (Form 40) and submitted to the Human Resources Office.

Employees shall be informed monthly, by computer printout, of the amount of leave that has been accrued and taken. The assigned record keeper of each organizational unit shall review and reconcile each employee's monthly printout. The printout, if correct, should be initialed by the record keeper, or resubmitted to the Human Resources Office, if errors are detected. The employee's unit must keep records of each employee's accrual and use of all leave on a *Record of Leave* (Form 41). These records must be kept for a period of three (3) years or until audit, whichever is longer.

NOTE: Refer to the Forms Manual for instructions on completing all Leave Forms.

Donated Leave for Catastrophic Injury or Illness

Employees may donate a portion of his/her earned Personal Leave or Major Medical Leave to an employee who is suffering from a *catastrophic injury or illness* (as defined in Section 25-3-91(b) of The Mississippi State Code of 1972, Annotated), or to an employee who has a member of his/her immediate family who is suffering from a catastrophic injury or illness. Catastrophic injury or illness means *a life-threatening injury or illness of an employee or a member of an*

employee's immediate family which totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, which result in intermittent absences from work and which are long-term in nature and require long recuperation periods, may be considered catastrophic.

For purposes of donating leave for catastrophic injury or illness, "immediate family" means spouse, parent, stepparent, sibling, child, or stepchild.

The following procedures should be followed when requesting to donate leave:

a. The decision to donate leave is voluntary on the part of each employee.

b. NOTE: recipient employees of agencies with more than five hundred employees may receive Donated Leave only from donor employees within the same agency. A recipient employee in an agency with five hundred or fewer employees may receive Donated Leave from any donor employee. LEAVE MUST BE DONATED IN INCREMENTS OF NO LESS THAN 24 HOURS. The recipient employee must have been employed by the employer for a total of at least twelve (12) months on the date on which the leave is donated, and must have completed at least 1,250 hours of service with the employer during the previous twelve- month period from the date on which the leave is donated.

c. The employee donating the leave (the "donor employee") shall designate, by a signed request, the employee who is to receive the leave (the "recipient employee") and the amount of earned Personal Leave and/or Major Medical Leave that is to be donated. The donor employee will submit a completed and signed *Donor Leave Request* (Form 4) to their leave record keeper/Office Manager, who will verify the leave balances, sign the form, and forward to the Office Director/District Administrator for approval. The completed and signed form will then be forwarded to the Office of Human Resources for determination of recipient employee eligibility.

d. There are limitations on the amount of leave that can be donated. An employee donating earned Personal Leave to another employee must retain at least seven (7) days of earned Personal Leave after the donation is completed. An employee may donate up to 50% of their earned Major Medical Leave to another employee. The recipient employee may receive a maximum of ninety (90) days (720 hours) of Donated Leave per illness/injury.

e. In order to receive Donated Leave, the recipient employee must provide certain

information and meet eligibility requirements:

- The recipient employee must have exhausted all of his/her earned Personal Leave and Major Medical Leave before becoming eligible to receive leave donated by another employee and should not be receiving disability retirement. AN UP-TO-DATE COPY OF THE EMPLOYEE'S LEAVE RECORD MUST BE SUBMITTED TO THE OFFICE OF HUMAN RESOURCES.
- The recipient employee must provide A STATEMENT SIGNED BY THE ATTENDING PHYSICIAN ATTESTING THAT THE EMPLOYEE OR AN IMMEDIATE FAMILY MEMBER IS EXPERIENCING A CATASTROPHIC ILLNESS OR INJURY. The statement must also indicate: (1) the beginning date of the catastrophic injury or illness, (2) description of the injury or illness, (3) prognosis for recovery, and (4) the anticipated date that the employee will be able to return to work.

f. The Office of Human Resources will review the request to donate leave to ensure that the donor has adequate leave to donate and that the recipient has provided the medical information referenced above.

The physician's statement will also be reviewed in order to determine if the illness/injury meets the definition of a catastrophic illness/injury. The MSDH Office of Human Resources may require additional information from the recipient in order to facilitate the determination of the employee's eligibility to receive Donated Leave.

In cases where the nature of the illness/injury is not readily discernible as being catastrophic, the MSDH Office of Human Resources may submit the recipient employee's medical information to the MSDH Medical Review Committee for evaluation and approval.

- The Medical Review Committee will consist of five members that are appointed by the State Health Officer.
- Each member of the Medical Review Committee will examine the recipient employee's FMLA file and express their approval/disapproval as to whether the injury or illness should be considered catastrophic.
- If the Committee is unable to reach a decision based upon the information contained in the recipient employee's FMLA file, they may direct the MSDH Office of Human Resources to collect additional information to facilitate the determination.
- The Committee's decision will be determined by a simple majority of approval/disapproval. If approval is granted, the Office of Human Resources will notify the recipient of the donation and the amount of Personal Leave or Major Medical Leave that will be added to their leave account. The recipient employee, the donor employee, and the leave record keeper for both the donor and the recipient will receive copies of

the approval notice. Any Personal Leave or Major Medical Leave earned by the employee after receiving Donated Leave must be used prior to the continued use of Donated Leave.

g. If the total amount of leave that is donated to any employee is not used by the recipient employee, the Donated Leave shall be returned to the donor employee(s) on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all employees.

h. The statute providing authority for employees to donate leave stipulates that the failure of any appointing authority or supervisor of any employee to properly deduct an employee's donation of leave to another employee from the donor employee's earned Personal Leave or Major Medical Leave shall constitute just cause for the dismissal of the appointing authority or supervisor.

i. A separate *Record of Leave* (Form 41) must be maintained on employees with Donated Leave in order to more easily keep record of the use of this leave and the leave earned by the employee on a regular basis.

j. An employ*ee who is not ap*proved to receive Donated Leave based on the finding that the illness or injury is not catastrophic, may appeal the decision to the Employee Appeals Board.

k. Employees planning to retire lose their eligibility to donate portions of their accrued leave balances immediately upon submittal of their intent to retire notification.

l. Donated Leave shall not be used in lieu of disability retirement.

SECTION 6.0 APPENDIX A

MISSISSIPPI STATE PERSONNEL BOARD PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR								
HOURS WORKED PER MONTH	---- B A S I C A CC R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
1	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.1
2	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2
3	0.1	0.1	0.1	0.1	0.2	0.2	0.3	0.3
4	0.1	0.1	0.2	0.2	0.3	0.3	0.4	0.4
5	0.1	0.2	0.2	0.2	0.3	0.4	0.5	0.5
6	0.2	0.2	0.2	0.3	0.4	0.5	0.6	0.6
7	0.2	0.2	0.3	0.3	0.5	0.6	0.6	0.7
8	0.2	0.3	0.3	0.4	0.6	0.6	0.7	0.8
9	0.3	0.3	0.4	0.4	0.6	0.7	0.8	0.9
10	0.3	0.3	0.4	0.5	0.7	0.8	0.9	1.0
11	0.3	0.4	0.4	0.5	0.8	0.9	1.0	1.1
12	0.3	0.4	0.5	0.6	0.8	1.0	1.1	1.2
13	0.4	0.4	0.5	0.6	0.9	1.0	1.2	1.3
14	0.4	0.5	0.6	0.6	1.0	1.1	1.3	1.4
15	0.4	0.5	0.6	0.7	1.0	1.2	1.4	1.6
16	0.5	0.6	0.6	0.7	1.1	1.3	1.5	1.7
17	0.5	0.6	0.7	0.8	1.2	1.4	1.6	1.8
18	0.5	0.6	0.7	0.8	1.2	1.4	1.7	1.9
19	0.5	0.7	0.8	0.9	1.3	1.5	1.7	2.0
20	0.6	0.7	0.8	0.9	1.4	1.6	1.8	2.1
21	0.6	0.7	0.8	1.0	1.4	1.7	1.9	2.2
22	0.6	0.8	0.9	1.0	1.5	1.8	2.0	2.3

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
23	0.7	0.8	0.9	1.1	1.6	1.9	2.1	2.4
24	0.7	0.8	1.0	1.1	1.7	1.9	2.2	2.5
25	0.7	0.9	1.0	1.1	1.7	2.0	2.3	2.6
26	0.7	0.9	1.0	1.2	1.8	2.1	2.4	2.7
27	0.8	0.9	1.1	1.2	1.9	2.2	2.5	2.8
28	0.8	1.0	1.1	1.3	1.9	2.3	2.6	2.9
29	0.8	1.0	1.2	1.3	2.0	2.3	2.7	3.0
30	0.9	1.0	1.2	1.4	2.1	2.4	2.8	3.1
31	0.9	1.1	1.2	1.4	2.1	2.5	2.9	3.2
32	0.9	1.1	1.3	1.5	2.2	2.6	2.9	3.3
33	0.9	1.1	1.3	1.5	2.3	2.7	3.0	3.4
34	1.0	1.2	1.4	1.6	2.3	2.7	3.1	3.5
35	1.0	1.2	1.4	1.6	2.4	2.8	3.2	3.6
36	1.0	1.2	1.4	1.7	2.5	2.9	3.3	3.7
37	1.1	1.3	1.5	1.7	2.6	3.0	3.4	3.8
38	1.1	1.3	1.5	1.7	2.6	3.1	3.5	3.9
39	1.1	1.3	1.6	1.8	2.7	3.1	3.6	4.0
40	1.1	1.4	1.6	1.8	2.8	3.2	3.7	4.1
41	1.2	1.4	1.7	1.9	2.8	3.3	3.8	4.2
42	1.2	1.4	1.7	1.9	2.9	3.4	3.9	4.3
43	1.2	1.5	1.7	2.0	3.0	3.5	4.0	4.5
44	1.3	1.5	1.8	2.0	3.0	3.5	4.0	4.6

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- BASIC ACCRUAL RATE ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
45	1.3	1.6	1.8	2.1	3.1	3.6	4.1	4.7
46	1.3	1.6	1.9	2.1	3.2	3.7	4.2	4.8
47	1.4	1.6	1.9	2.2	3.2	3.8	4.3	4.9
48	1.4	1.7	1.9	2.2	3.3	3.9	4.4	5.0
49	1.4	1.7	2.0	2.3	3.4	3.9	4.5	5.1
50	1.4	1.7	2.0	2.3	3.4	4.0	4.6	5.2
51	1.5	1.8	2.1	2.3	3.5	4.1	4.7	5.3
52	1.5	1.8	2.1	2.4	3.6	4.2	4.8	5.4
53	1.5	1.8	2.1	2.4	3.7	4.3	4.9	5.5
54	1.6	1.9	2.2	2.5	3.7	4.3	5.0	5.6
55	1.6	1.9	2.2	2.5	3.8	4.4	5.1	5.7
56	1.6	1.9	2.3	2.6	3.9	4.5	5.2	5.8
57	1.6	2.0	2.3	2.6	3.9	4.6	5.3	5.9
58	1.7	2.0	2.3	2.7	4.0	4.7	5.3	6.0
59	1.7	2.0	2.4	2.7	4.1	4.7	5.4	6.1
60	1.7	2.1	2.4	2.8	4.1	4.8	5.5	6.2
61	1.8	2.1	2.5	2.8	4.2	4.9	5.6	6.3
62	1.8	2.1	2.5	2.9	4.3	5.0	5.7	6.4
63	1.8	2.2	2.5	2.9	4.3	5.1	5.8	6.5
64	1.8	2.2	2.6	2.9	4.4	5.2	5.9	6.6
65	1.9	2.2	2.6	3.0	4.5	5.2	6.0	6.7
66	1.9	2.3	2.7	3.0	4.6	5.3	6.1	6.8

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- BASIC ACCRUAL RATE ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
67	1.9	2.3	2.7	3.1	4.6	5.4	6.2	6.9
68	2.0	2.3	2.7	3.1	4.7	5.5	6.3	7.0
69	2.0	2.4	2.8	3.2	4.8	5.6	6.3	7.1
70	2.0	2.4	2.8	3.2	4.8	5.6	6.4	7.2
71	2.0	2.4	2.9	3.3	4.9	5.7	6.5	7.3
72	2.1	2.5	2.9	3.3	5.0	5.8	6.6	7.5
73	2.1	2.5	2.9	3.4	5.0	5.9	6.7	7.6
74	2.1	2.6	3.0	3.4	5.1	6.0	6.8	7.7
75	2.2	2.6	3.0	3.4	5.2	6.0	6.9	7.8
76	2.2	2.6	3.1	3.5	5.2	6.1	7.0	7.9
77	2.2	2.7	3.1	3.5	5.3	6.2	7.1	8.0
78	2.2	2.7	3.1	3.6	5.4	6.3	7.2	8.1
79	2.3	2.7	3.2	3.6	5.5	6.4	7.3	8.2
80	2.3	2.8	3.2	3.7	5.5	6.4	7.4	8.3
81	2.3	2.8	3.3	3.7	5.6	6.5	7.5	8.4
82	2.4	2.8	3.3	3.8	5.7	6.6	7.5	8.5
83	2.4	2.9	3.3	3.8	5.7	6.7	7.6	8.6
84	2.4	2.9	3.4	3.9	5.8	6.8	7.7	8.7
85	2.4	2.9	3.4	3.9	5.9	6.8	7.8	8.8
86	2.5	3.0	3.5	4.0	5.9	6.9	7.9	8.9
87	2.5	3.0	3.5	4.0	6.0	7.0	8.0	9.0
88	2.5	3.0	3.5	4.0	6.1	7.1	8.1	9.1

MISSISSIPPI STATE PERSONNEL BOARD
PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	**6 HRS**	**7 HRS**	**8 HRS**	**12 HRS**	**14 HRS**	**16 HRS**	**18 HRS**
89	2.6	3.1	3.6	4.1	6.1	7.2	8.2	9.2
90	2.6	3.1	3.6	4.1	6.2	7.2	8.3	9.3
91	2.6	3.1	3.7	4.2	6.3	7.3	8.4	9.4
92	2.6	3.2	3.7	4.2	6.3	7.4	8.5	9.5
93	2.7	3.2	3.7	4.3	6.4	7.5	8.6	9.6
94	2.7	3.2	3.8	4.3	6.5	7.6	8.6	9.7
95	2.7	3.3	3.8	4.4	6.6	7.6	8.7	9.8
96	2.8	3.3	3.9	4.4	6.6	7.7	8.8	9.9
97	2.8	3.3	3.9	4.5	6.7	7.8	8.9	10.0
98	2.8	3.4	3.9	4.5	6.8	7.9	9.0	10.1
99	2.8	3.4	4.0	4.6	6.8	8.0	9.1	10.2
100	2.9	3.4	4.0	4.6	6.9	8.0	9.2	10.3
101	2.9	3.5	4.1	4.6	7.0	8.1	9.3	10.5
102	2.9	3.5	4.1	4.7	7.0	8.2	9.4	10.6
103	3.0	3.6	4.1	4.7	7.1	8.3	9.5	10.7
104	3.0	3.6	4.2	4.8	7.2	8.4	9.6	10.8
105	3.0	3.6	4.2	4.8	7.2	8.5	9.7	10.9
106	3.0	3.7	4.3	4.9	7.3	8.5	9.8	11.0
107	3.1	3.7	4.3	4.9	7.4	8.6	9.8	11.1
108	3.1	3.7	4.3	5.0	7.5	8.7	9.9	11.2
109	3.1	3.8	4.4	5.0	7.5	8.8	10.0	11.3
110	3.2	3.8	4.4	5.1	7.6	8.9	10.1	11.4

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- BASIC ACCRUAL RATE ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
111	3.2	3.8	4.5	5.1	7.7	8.9	10.2	11.5
112	3.2	3.9	4.5	5.2	7.7	9.0	10.3	11.6
113	3.2	3.9	4.5	5.2	7.8	9.1	10.4	11.7
114	3.3	3.9	4.6	5.2	7.9	9.2	10.5	11.8
115	3.3	4.0	4.6	5.3	7.9	9.3	10.6	11.9
116	3.3	4.0	4.7	5.3	8.0	9.3	10.7	12.0
117	3.4	4.0	4.7	5.4	8.1	9.4	10.8	12.1
118	3.4	4.1	4.7	5.4	8.1	9.5	10.9	12.2
119	3.4	4.1	4.8	5.5	8.2	9.6	10.9	12.3
120	3.4	4.1	4.8	5.5	8.3	9.7	11.0	12.4
121	3.5	4.2	4.9	5.6	8.3	9.7	11.1	12.5
122	3.5	4.2	4.9	5.6	8.4	9.8	11.2	12.6
123	3.5	4.2	5.0	5.7	8.5	9.9	11.3	12.7
124	3.6	4.3	5.0	5.7	8.6	10.0	11.4	12.8
125	3.6	4.3	5.0	5.7	8.6	10.1	11.5	12.9
126	3.6	4.3	5.1	5.8	8.7	10.1	11.6	13.0
127	3.7	4.4	5.1	5.8	8.8	10.2	11.7	13.1
128	3.7	4.4	5.2	5.9	8.8	10.3	11.8	13.2
129	3.7	4.5	5.2	5.9	8.9	10.4	11.9	13.4
130	3.7	4.5	5.2	6.0	9.0	10.5	12.0	13.5
131	3.8	4.5	5.3	6.0	9.0	10.5	12.1	13.6
132	3.8	4.6	5.3	6.1	9.1	10.6	12.1	13.7

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- BASIC ACCRUAL RATE ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
133	3.8	4.6	5.4	6.1	9.2	10.7	12.2	13.8
134	3.9	4.6	5.4	6.2	9.2	10.8	12.3	13.9
135	3.9	4.7	5.4	6.2	9.3	10.9	12.4	14.0
136	3.9	4.7	5.5	6.3	9.4	10.9	12.5	14.1
137	3.9	4.7	5.5	6.3	9.5	11.0	12.6	14.2
138	4.0	4.8	5.6	6.3	9.5	11.1	12.7	14.3
139	4.0	4.8	5.6	6.4	9.6	11.2	12.8	14.4
140	4.0	4.8	5.6	6.4	9.7	11.3	12.9	14.5
141	4.1	4.9	5.7	6.5	9.7	11.3	13.0	14.6
142	4.1	4.9	5.7	6.5	9.8	11.4	13.1	14.7
143	4.1	4.9	5.8	6.6	9.9	11.5	13.2	14.8
144	4.1	5.0	5.8	6.6	9.9	11.6	13.2	14.9
145	4.2	5.0	5.8	6.7	10.0	11.7	13.3	15.0
146	4.2	5.0	5.9	6.7	10.1	11.8	13.4	15.1
147	4.2	5.1	5.9	6.8	10.1	11.8	13.5	15.2
148	4.3	5.1	6.0	6.8	10.2	11.9	13.6	15.3
149	4.3	5.1	6.0	6.9	10.3	12.0	13.7	15.4
150	4.3	5.2	6.0	6.9	10.3	12.1	13.8	15.5
151	4.3	5.2	6.1	6.9	10.4	12.2	13.9	15.6
152	4.4	5.2	6.1	7.0	10.5	12.2	14.0	15.7
153	4.4	5.3	6.2	7.0	10.6	12.3	14.1	15.8
154	4.4	5.3	6.2	7.1	10.6	12.4	14.2	15.9

MISSISSIPPI STATE PERSONNEL BOARD
PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- BASIC ACCRUAL RATE ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
155	4.5	5.3	6.2	7.1	10.7	12.5	14.3	16.0
156	4.5	5.4	6.3	7.2	10.8	12.6	14.4	16.1
157	4.5	5.4	6.3	7.2	10.8	12.6	14.4	16.2
158	4.5	5.5	6.4	7.3	10.9	12.7	14.5	16.4
159	4.6	5.5	6.4	7.3	11.0	12.8	14.6	16.5
160	4.6	5.5	6.4	7.4	11.0	12.9	14.7	16.6
161	4.6	5.6	6.5	7.4	11.1	13.0	14.8	16.7
162	4.7	5.6	6.5	7.5	11.2	13.0	14.9	16.8
163	4.7	5.6	6.6	7.5	11.2	13.1	15.0	16.9
164	4.7	5.7	6.6	7.5	11.3	13.2	15.1	17.0
165	4.7	5.7	6.6	7.6	11.4	13.3	15.2	17.1
166	4.8	5.7	6.7	7.6	11.5	13.4	15.3	17.2
167	4.8	5.8	6.7	7.7	11.5	13.4	15.4	17.3
168	4.8	5.8	6.8	7.7	11.6	13.5	15.5	17.4
169	4.9	5.8	6.8	7.8	11.7	13.6	15.5	17.5
170	4.9	5.9	6.8	7.8	11.7	13.7	15.6	17.6
171	4.9	5.9	6.9	7.9	11.8	13.8	15.7	17.7
172	4.9	5.9	6.9	7.9	11.9	13.8	15.8	17.8
173	5.0	6.0	7.0	8.0	11.9	13.9	15.9	17.9
174	5.0	6.0	7.0	8.0	12.0	14.0	16.0	18.0

SECTION 6.0 APPENDIX A

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
23	0.7	0.8	0.9	1.1	1.6	1.9	2.1	2.4
24	0.7	0.8	1.0	1.1	1.7	1.9	2.2	2.5
25	0.7	0.9	1.0	1.1	1.7	2.0	2.3	2.6
26	0.7	0.9	1.0	1.2	1.8	2.1	2.4	2.7
27	0.8	0.9	1.1	1.2	1.9	2.2	2.5	2.8
28	0.8	1.0	1.1	1.3	1.9	2.3	2.6	2.9
29	0.8	1.0	1.2	1.3	2.0	2.3	2.7	3.0
30	0.9	1.0	1.2	1.4	2.1	2.4	2.8	3.1
31	0.9	1.1	1.2	1.4	2.1	2.5	2.9	3.2
32	0.9	1.1	1.3	1.5	2.2	2.6	2.9	3.3
33	0.9	1.1	1.3	1.5	2.3	2.7	3.0	3.4
34	1.0	1.2	1.4	1.6	2.3	2.7	3.1	3.5
35	1.0	1.2	1.4	1.6	2.4	2.8	3.2	3.6
36	1.0	1.2	1.4	1.7	2.5	2.9	3.3	3.7
37	1.1	1.3	1.5	1.7	2.6	3.0	3.4	3.8
38	1.1	1.3	1.5	1.7	2.6	3.1	3.5	3.9
39	1.1	1.3	1.6	1.8	2.7	3.1	3.6	4.0
40	1.1	1.4	1.6	1.8	2.8	3.2	3.7	4.1
41	1.2	1.4	1.7	1.9	2.8	3.3	3.8	4.2
42	1.2	1.4	1.7	1.9	2.9	3.4	3.9	.3
43	1.2	1.5	1.7	2.0	3.0	3.5	4.0	4.5
44	1.3	1.5	1.8	2.0	3.0	3.5	4.0	4.6

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
45	1.3	1.6	1.8	2.1	3.1	3.6	4.1	4.7
46	1.3	1.6	1.9	2.1	3.2	3.7	4.2	4.8
47	1.4	1.6	1.9	2.2	3.2	3.8	4.3	4.9
48	1.4	1.7	1.9	2.2	3.3	3.9	4.4	5.0
49	1.4	1.7	2.0	2.3	3.4	3.9	4.5	5.1
50	1.4	1.7	2.0	2.3	3.4	4.0	4.6	5.2
51	1.5	1.8	2.1	2.3	3.5	4.1	4.7	5.3
52	1.5	1.8	2.1	2.4	3.6	4.2	4.8	5.4
53	1.5	1.8	2.1	2.4	3.7	4.3	4.9	5.5
54	1.6	1.9	2.2	2.5	3.7	4.3	5.0	5.6
55	1.6	1.9	2.2	2.5	3.8	4.4	5.1	5.7
56	1.6	1.9	2.3	2.6	3.9	4.5	5.2	5.8
57	1.6	2.0	2.3	2.6	3.9	4.6	5.3	5.9
58	1.7	2.0	2.3	2.7	4.0	4.7	5.3	6.0
59	1.7	2.0	2.4	2.7	4.1	4.7	5.4	6.1
60	1.7	2.1	2.4	2.8	4.1	4.8	5.5	6.2
61	1.8	2.1	2.5	2.8	4.2	4.9	5.6	6.3
62	1.8	2.1	2.5	2.9	4.3	5.0	5.7	6.4
63	1.8	2.2	2.5	2.9	4.3	5.1	5.8	6.5
64	1.8	2.2	2.6	2.9	4.4	5.2	5.9	6.6
65	1.9	2.2	2.6	3.0	4.5	5.2	6.0	6.7
66	1.9	2.3	2.7	3.0	4.6	5.3	6.1	6.8

SECTION 6.0 APPENDIX A

MISSISSIPPI STATE PERSONNEL BOARD
PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
67	1.9	2.3	2.7	3.1	4.6	5.4	6.2	6.9
68	2.0	2.3	2.7	3.1	4.7	5.5	6.3	7.0
69	2.0	2.4	2.8	3.2	4.8	5.6	6.3	7.1
70	2.0	2.4	2.8	3.2	4.8	5.6	6.4	7.2
71	2.0	2.4	2.9	3.3	4.9	5.7	6.5	7.3
72	2.1	2.5	2.9	3.3	5.0	5.8	6.6	7.5
73	2.1	2.5	2.9	3.4	5.0	5.9	6.7	7.6
74	2.1	2.6	3.0	3.4	5.1	6.0	6.8	7.7
75	2.2	2.6	3.0	3.4	5.2	6.0	6.9	7.8
76	2.2	2.6	3.1	3.5	5.2	6.1	7.0	7.9
77	2.2	2.7	3.1	3.5	5.3	6.2	7.1	8.0
78	2.2	2.7	3.1	3.6	5.4	6.3	7.2	8.1
79	2.3	2.7	3.2	3.6	5.5	6.4	7.3	8.2
80	2.3	2.8	3.2	3.7	5.5	6.4	7.4	8.3
81	2.3	2.8	3.3	3.7	5.6	6.5	7.5	8.4
82	2.4	2.8	3.3	3.8	5.7	6.6	7.5	8.5
83	2.4	2.9	3.3	3.8	5.7	6.7	7.6	8.6
84	2.4	2.9	3.4	3.9	5.8	6.8	7.7	8.7
85	2.4	2.9	3.4	3.9	5.9	6.8	7.8	8.8
86	2.5	3.0	3.5	4.0	5.9	6.9	7.9	8.9
87	2.5	3.0	3.5	4.0	6.0	7.0	8.0	9.0
88	2.5	3.0	3.5	4.0	6.1	7.1	8.1	9.1

SECTION 6.0 APPENDIX A

MISSISSIPPI STATE PERSONNEL BOARD PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR								
HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
89	2.6	3.1	3.6	4.1	6.1	7.2	8.2	9.2
90	2.6	3.1	3.6	4.1	6.2	7.2	8.3	9.3
91	2.6	3.1	3.7	4.2	6.3	7.3	8.4	9.4
92	2.6	3.2	3.7	4.2	6.3	7.4	8.5	9.5
93	2.7	3.2	3.7	4.3	6.4	7.5	8.6	9.6
94	2.7	3.2	3.8	4.3	6.5	7.6	8.6	9.7
95	2.7	3.3	3.8	4.4	6.6	7.6	8.7	9.8
96	2.8	3.3	3.9	4.4	6.6	7.7	8.8	9.9
97	2.8	3.3	3.9	4.5	6.7	7.8	8.9	10.0
98	2.8	3.4	3.9	4.5	6.8	7.9	9.0	10.1
99	2.8	3.4	4.0	4.6	6.8	8.0	9.1	10.2
100	2.9	3.4	4.0	4.6	6.9	8.0	9.2	10.3
101	2.9	3.5	4.1	4.6	7.0	8.1	9.3	10.5
102	2.9	3.5	4.1	4.7	7.0	8.2	9.4	10.6
103	3.0	3.6	4.1	4.7	7.1	8.3	9.5	10.7
104	3.0	3.6	4.2	4.8	7.2	8.4	9.6	10.8
105	3.0	3.6	4.2	4.8	7.2	8.5	9.7	10.9
106	3.0	3.7	4.3	4.9	7.3	8.5	9.8	11.0
107	3.1	3.7	4.3	4.9	7.4	8.6	9.8	11.1
108	3.1	3.7	4.3	5.0	7.5	8.7	9.9	11.2
109	3.1	3.8	4.4	5.0	7.5	8.8	10.0	11.3
110	3.2	3.8	4.4	5.1	7.6	8.9	10.1	11.4

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
111	3.2	3.8	4.5	5.1	7.7	8.9	10.2	11.5
112	3.2	3.9	4.5	5.2	7.7	9.0	10.3	11.6
113	3.2	3.9	4.5	5.2	7.8	9.1	10.4	11.7
114	3.3	3.9	4.6	5.2	7.9	9.2	10.5	11.8
115	3.3	4.0	4.6	5.3	7.9	9.3	10.6	11.9
116	3.3	4.0	4.7	5.3	8.0	9.3	10.7	12.0
117	3.4	4.0	4.7	5.4	8.1	9.4	10.8	12.1
118	3.4	4.1	4.7	5.4	8.1	9.5	10.9	12.2
119	3.4	4.1	4.8	5.5	8.2	9.6	10.9	12.3
120	3.4	4.1	4.8	5.5	8.3	9.7	11.0	12.4
121	3.5	4.2	4.9	5.6	8.3	9.7	11.1	12.5
122	3.5	4.2	4.9	5.6	8.4	9.8	11.2	12.6
123	3.5	4.2	5.0	5.7	8.5	9.9	11.3	12.7
124	3.6	4.3	5.0	5.7	8.6	10.0	11.4	12.8
125	3.6	4.3	5.0	5.7	8.6	10.1	11.5	12.9
126	3.6	4.3	5.1	5.8	8.7	10.1	11.6	13.0
127	3.7	4.4	5.1	5.8	8.8	10.2	11.7	13.1
128	3.7	4.4	5.2	5.9	8.8	10.3	11.8	13.2
129	3.7	4.5	5.2	5.9	8.9	10.4	11.9	13.4
130	3.7	4.5	5.2	6.0	9.0	10.5	12.0	13.5
131	3.8	4.5	5.3	6.0	9.0	10.5	12.1	13.6
132	3.8	4.6	5.3	6.1	9.1	10.6	12.1	13.7

MISSISSIPPI STATE PERSONNEL BOARD

PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
133	3.8	4.6	5.4	6.1	9.2	10.7	12.2	13.8
134	3.9	4.6	5.4	6.2	9.2	10.8	12.3	13.9
135	3.9	4.7	5.4	6.2	9.3	10.9	12.4	14.0
136	3.9	4.7	5.5	6.3	9.4	10.9	12.5	14.1
137	3.9	4.7	5.5	6.3	9.5	11.0	12.6	14.2
138	4.0	4.8	5.6	6.3	9.5	11.1	12.7	14.3
139	4.0	4.8	5.6	6.4	9.6	11.2	12.8	14.4
140	4.0	4.8	5.6	6.4	9.7	11.3	12.9	14.5
141	4.1	4.9	5.7	6.5	9.7	11.3	13.0	14.6
142	4.1	4.9	5.7	6.5	9.8	11.4	13.1	14.7
143	4.1	4.9	5.8	6.6	9.9	11.5	13.2	14.8
144	4.1	5.0	5.8	6.6	9.9	11.6	13.2	14.9
145	4.2	5.0	5.8	6.7	10.0	11.7	13.3	15.0
146	4.2	5.0	5.9	6.7	10.1	11.8	13.4	15.1
147	4.2	5.1	5.9	6.8	10.1	11.8	13.5	15.2
148	4.3	5.1	6.0	6.8	10.2	11.9	13.6	15.3
149	4.3	5.1	6.0	6.9	10.3	12.0	13.7	15.4
150	4.3	5.2	6.0	6.9	10.3	12.1	13.8	15.5
151	4.3	5.2	6.1	6.9	10.4	12.2	13.9	15.6
152	4.4	5.2	6.1	7.0	10.5	12.2	14.0	15.7
153	4.4	5.3	6.2	7.0	10.6	12.3	14.1	15.8
154	4.4	5.3	6.2	7.1	10.6	12.4	14.2	15.9

MISSISSIPPI STATE PERSONNEL BOARD
PRO-RATA PERSONAL AND MAJOR MEDICAL LEAVE IN TENTHS OF AN HOUR

HOURS WORKED PER MONTH	---- B A S I C A C C R U A L R A T E ----							
	5 HRS	6 HRS	7 HRS	8 HRS	12 HRS	14 HRS	16 HRS	18 HRS
155	4.5	5.3	6.2	7.1	10.7	12.5	14.3	16.0
156	4.5	5.4	6.3	7.2	10.8	12.6	14.4	16.1
157	4.5	5.4	6.3	7.2	10.8	12.6	14.4	16.2
158	4.5	5.5	6.4	7.3	10.9	12.7	14.5	16.4
159	4.6	5.5	6.4	7.3	11.0	12.8	14.6	16.5
160	4.6	5.5	6.4	7.4	11.0	12.9	14.7	16.6
161	4.6	5.6	6.5	7.4	11.1	13.0	14.8	16.7
162	4.7	5.6	6.5	7.5	11.2	13.0	14.9	16.8
163	4.7	5.6	6.6	7.5	11.2	13.1	15.0	16.9
164	4.7	5.7	6.6	7.5	11.3	13.2	15.1	17.0
165	4.7	5.7	6.6	7.6	11.4	13.3	15.2	17.1
166	4.8	5.7	6.7	7.6	11.5	13.4	15.3	17.2
167	4.8	5.8	6.7	7.7	11.5	13.4	15.4	17.3
168	4.8	5.8	6.8	7.7	11.6	13.5	15.5	17.4
169	4.9	5.8	6.8	7.8	11.7	13.6	15.5	17.5
170	4.9	5.9	6.8	7.8	11.7	13.7	15.6	17.6
171	4.9	5.9	6.9	7.9	11.8	13.8	15.7	17.7
172	4.9	5.9	6.9	7.9	11.9	13.8	15.8	17.8
173	5.0	6.0	7.0	8.0	11.9	13.9	15.9	17.9
174	5.0	6.0	7.0	8.0	12.0	14.0	16.0	18.0

7.1 Performance Evaluation

Every employee shall have his or her performance assessed at least once annually. Assessments must be based only on the employee's performance of his or her assigned duties compared to the competencies/behavioral anchors for those duties.

The Mississippi State Personnel Board has prescribed that employee performance appraisal are to be conducted using the **P**erformance **D**evelopment **S**ystem (PDS). The PDS is a competency-based system. A competency is a skill, trait, or behavior that leads to a desired result.

The **P**erformance **D**evelopment **A**ssessment (PDA) document contains those job duties, competencies and behavioral anchors that define a Successful (3.0) rating.

The competencies are aggregated into the following three areas:

- Public Sector Competencies (for all state employees);
- Management Competencies (for those in supervisory positions); and
- Technical Competencies (job-specific).

The development of the PDA document is:

- Designed to be a participative process between the supervisor and employee.
- Designed to be simple and effective.
- Based on continuous dialogue, coaching, and feedback.
- Intended to maximize the performance, development, and engagement of employees.
- Intended to maximize the performance of the organization as a whole.

<u>Review Period</u>

The duration of a Review Period shall be **at least ninety (90) days** and **not more than 365 days**, during which an employee's performance is evaluated.

<u>Probationary Employee</u>

The review period will begin within fourteen (14) days of the hire date of the employee.

The Sixth Month Review will be conducted within fourteen (14) days prior to the end of the sixth month from the date of hire (*or earlier in cases where completion of required job training results in reclassification*).

A Final Assessment will be completed within fourteen (14) days prior to the end of the twelfth month from the date of hire (or earlier in cases where completion of required job

training results in reclassification).

State Service Employee

The review period will begin within fourteen (14) days of the hire date of the employee. Subsequent review periods will begin within fourteen (14) days of the date the employee changes supervisors or jobs or within fourteen (14) days of the end of the twelfth month of the PDS Review Period.

A *Mid-Cycle Review* will be conducted within fourteen (14) days of the sixth month of the beginning of the PDS Review Period.
A valid assessment is one completed as a result of an employee's job performance within a review period of at least ninety-days and no more than 365 days.

Documents

Each new review period will begin with a new and/or updated **P**erformance **D**evelopment **A**ssessment (PDA) document and an **I**ndividual **D**evelopment **P**lan (IDP) as a component of the PDS Assessment or a **P**erformance **I**mprovement **P**lan (PIP) for employees whose performance level is rated at least *Not Demonstrated* (1.0) but lower than *Improvement Needed* (2.0) or an **I**nformal **E**ffort (IE) for employees whose performance level is rated at least *Improvement Needed* (2.0) but lower than *Successful* (3.0).

Goals

The PDS is designed to provide:
1. A structured, competency-based system to assure superior performance aligned with the organization's goals and requirements.
2. Allow for documented and defensible personnel decisions.
3. Align, develop, and leverage the potential of each employee.
4. Improve the quality and quantity of services.

PDS, like any performance management system, will only achieve its goals if:
- There is ongoing dialogue, coaching and feedback
- There is thorough and continuous training of managers and employees on the system processes.
- The integrity of the system is maintained through oversight by the agency's senior leadership and the Office of Human Resources.

Phases of the PDS Process

Phase 1

Planning- Supervisors work with employees to:
- Define job duties
- Define job competencies
- Select behavioral anchors
- Set goals
- Develop PDS Assessment Document
- Develop IDP, IE, or PIP

Set up Supplemental Employee Performance Folder (SEPF)

Phase 2

Ongoing Dialogue, Coaching, and Feedback to:
- Encourage frequent dialogue
- Provide ongoing feedback
- Listen
- Encourage

Documentation
- Track progress on PDS, IE, or PIP
- Update any changes in job duties or competencies

Review Performance
- Mid-Cycle Review

Phase 3

Prepare for Final Review
- Review documentation
- Prepare the final assessment
- Have the final assessment approved by the First Level Reviewer

Final Assessment Interview
- Review final assessment with employee
- Request signature acknowledging final assessment

Begin a New Assessment Period
- Resume and/or begin a new or revised IDP (unless the employee is put on an IE or PIP)

Performance Evaluation Responsibilities

Both the immediate supervisor and the employee have responsibilities under the Performance Development System (PDS). The supervisor must make sure the PDA or RDQ (for IT jobs) reflects assigned duties; collect samples of work on which to evaluate the employee; discuss duties/performance standards with the employee; concur the formal appraisal interview and review and feedback sessions; provide continuous review and feedback to an employee where appropriate; recognize and recommend awards for employees whose performance so warrants; and assist employees in improving "fails to meet expectations" performance.

The employee is responsible for cooperating with the supervisor in developing duties/performance standards/behavioral anchors; notifying the immediate supervisor of facts and circumstances that may affect and/or deter the employee from the proper performance of his or her duties; participating in appraisal and individual development discussions; making sure that a representative sample of work is maintained by the supervisor; and, successfully performing the duties of the position.

In addition to the supervisor's and employee's responsibilities, Human Resources has responsibilities associated with the Performance Development System. Human Resources is responsible for ensuring the appraisal system is administered by the rules, regulations and guidelines established by the MSPB; ensuring uniform duties/performance standards/behavioral anchors are established for each position; and ensuring each employee receives a formal rating as required.

PDS Grievance Procedure

The final rating given a *"state service"* employee is considered an issue on which a grievance may be filed to the degree to which the rating affects the employee's employment status or compensation. Duties/performance standards/behavioral anchors are not grievable because they are established for a position and not for an individual employee.

The procedure for filing a grievance and appealing grievance decisions are outlined in detail in the Mississippi State Employee Handbook, Chapters 8 and 9. Electronic copies of the Mississippi State Employee Handbook can be accessed via the MSDH Intranet or via the Mississippi State Personnel Board website www.mspb.ms.gov.

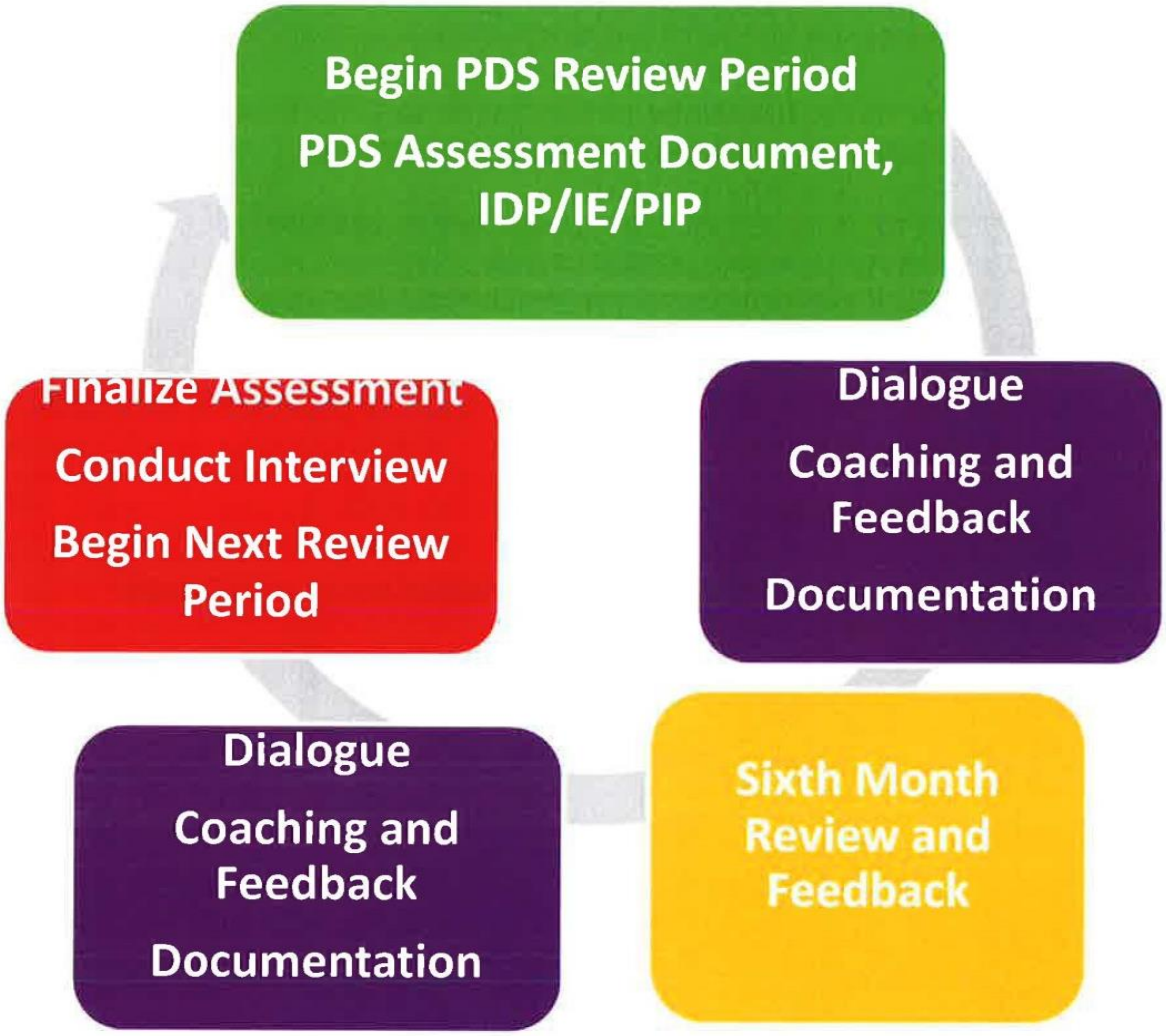
Performance Development System Operations Manual and Appraisal Forms

A complete electronic copy of the Mississippi State Personnel Board Performance Development System (PDS) Operations Manual and blank copies of all of the most

current forms associated with the PDS are available for downloading at the Mississippi State Personnel Board's website: www.mspb.ms.gov. Should you have difficulty downloading forms and information, you may contact Human Resources for assistance.

7.1 Performance Development System (PDS)
Flowchart and Appendices

PDS Flowchart



7.2 PERFORMANCE DEVELOPMENT SYSTEM APPENDICES

A. PERFORMANCE DEVELOPMENT SYSTEM CHECKLIST
   1. PERFORMANCE DEVELOPMENT SYSTEM TRAINING CHECKLIST
   2. PERFORMANCE DEVELOPMENT SYSTEM IMPLEMENTATION CHECKLIST

B. INDIVIDUAL PERFORMANCE DEVELOPMENT SYSTEM GUIDES
   1. GUIDE FOR CONDUCTING ASSESSMENT SESSIONS
   2. GUIDE FOR JOB CONTENT PAGE
   3. GUIDE FOR INDIVIDUAL DEVELOPMENT PLANS (IDP)
   4. GUIDE FOR INFORMAL EFFORTS (IE)
   5. GUIDE FOR PERFORMANCE IMPROVEMENT PLANS (PIP)
   6. DOCUMENTATION GUIDE
   7. FEEDBACK GUIDE
   8. ELEMENTS OF SUPPLEMENTAL EMPLOYEE PERFORMANCE FOLDER (SEPF)

C. DEFINITION OF TERMS

D. PERFORMANCE ASSESSMENT DEVELOPMENT (PDA) DOCUMENT

PERFORMANCE DEVELOPMENT SYSTEM TRAINING CHECKLIST

A. **Begin a Review Period within fourteen (14) days of hire or a new cycle.**

1. **The Performance Development System Overview:**
   - ❒ Ensure that the employee understands the **Performance Development System**: _

2. **PDS Document Review – Joint Process:**
   - ❒ Select and/or revise the **essential duties** from the Job Content page.
   - ❒ Discuss the **essential duties** as well as the **competencies and behavioral anchors** to be included on the PDS document.
   - ❒ Thoroughly review the PDS document.
   - ❒ Send the PDS document to the **First Level Reviewer** for final approval.

3. **Supervisor Expectations:**
   - ❒ Explicitly state expectations related to the duties, competencies, and behaviors.
   - ❒ Explain how the ratings are determined.
   - ❒ Explain what the employee can do to meet expectations.
   - ❒ Explain what happens if the employee does not meet expectations, i.e. if he or she has a final rating on the PDS Assessment document below Successful (3.0).

4. **Documentation:**
   - ❒ Discuss the documentation process.
   - ❒ Explain the employee's role in documenting his or her performance.

5. **Supplemental Employee Performance Folder (SEPF):**
   - ❒ Discuss what it is, what it contains, and confidentiality of contents.

6. **Informal Efforts (IE):**
   - ❒ Explain the IE process and implications.

7. **Performance Improvement Plan (PIP)**:
   - ❒ Explain the PIP process and implications.

8. **Individual Development Plan (IDP):**
   - ❒ Discuss the IDP process.
   - ❒Discuss employee's performance and career goals, and identify three areas that will be targeted for the IDP.
   - ❒ Jointly develop the IDP.

9. **Final PDS Assessment document:**
   - ❒ The First Level Reviewer approves the final PDS Assessment document.
   - ❒ If there are changes, the final meeting provides an opportunity to discuss those changes. If there are no changes, the meeting is an opportunity to review the document.
   - ❒ Give employee a copy of his or her approved PDS Assessment document.
   - ❒ Supervisor and employee sign and date the PDS Assessment document.
   - ❒ The original is placed in the employee's SEPF.
   - ❒ The employee gets a signed copy.
   - ❒ The First Level Reviewer gets a copy.
   - ❒ The Human Resources office gets a copy.

B. **During the Review Period**

1. **Coaching and Feedback** requires:
   - ❒ Continuous performance coaching and feedback from the supervisor.
   - ❒ Two-way communication throughout the process.
   - ❒ Ongoing observation and documentation.
   - ❒ Joint problem solving, if necessary.
   - ❒ Revision of PDS Review document and/or IDP, IE, or PIP, if necessary.

C. **The Mid-Cycle Review**

1. **Prepare for official Review and Feedback Session:**
   - ❒ Review documentation related to employee's performance.
   - ❒Write comments for those behaviors and competencies that would be rated below Successful (3.0) if a rating were to be done, giving examples of specific behaviors that need to be changed.
   - ❒ Have the employee assess his or her performance for this period and be prepared to discuss with the supervisor.
   - ❒ Schedule a meeting with the employee.

2. **Conduct official Review and Feedback Session:**
   - ❒ Discuss the employee's assessment of his or her performance.
   - ❒ If there are discrepancies between the employee's and the supervisor's assessment, address those as they come up in the discussion.
   - ❒ Attempt to resolve the discrepancies.
   - ❒ Review and discuss any other written comments with employee.
   - ❒ Allow employee to ask questions and write his or her own comments.
   - ❒ Specifically address any issue that suggests a problem.
   - ❒ Supervisor and employee sign and date the Review and Feedback Form.
   - ❒Employee is given a copy of the form.
   - ❒ The original form is placed in the employee's SEPF.
   - ❒ The agency's Human Resources office gets a copy.

D. **Ending the Review Cycle (within 14 days of ending a Review Period ~~cycle~~)**

1. **Prepare for the Final Review:**
   - ❒ Schedule the final assessment interviews no later than fourteen (14) working days prior to the end of the Review Period.
   - ❒ Discuss the employee's assessment of his or her performance.
   - ❒ If there are discrepancies between the employee's and the supervisor's assessment, address those as they come up in the discussion.
   - ❒ Attempt to resolve any discrepancies.
   - ❒ Review and discuss any other written comments with the employee.
   - ❒ Allow the employee to ask questions and write his or her own comments.
   - ❒ The supervisor and the employee sign and date the Review and Feedback Form.
   - ❒ The employee is given a copy of the form.
   - ❒ A copy is placed in the employee's SEPF.
   - ❒ The original form goes to the agency's Human Resources office.
   - ❒ If the overall rating is Successful (3.0) to Outstanding (4.0), the manager and the employee complete an Individual Development Plan and agree on a communication strategy to ensure that the development plan is working and begin a new cycle.
   - ❒ If the overall rating is at least Improvement Needed (2.0) but less than Successful (3.0), the supervisor completes an Informal Effort (IE), with employee assistance if possible, and creates and/or implements a communication strategy to ensure that the IE has every opportunity to work.
   - ❒ If an IE is successful, a new Review Period is begun.
   - ❒ If an IE is not successful, the supervisor should consult with the agency's Human Resource's office to determine whether to continue the IE or move to a PIP.
   - ❒ The overall rating is at least Not Demonstrated (1.0) but less than Improvement Needed (2.0), the supervisor, with employee assistance if possible, completes a PIP, and they agree on a communication strategy to ensure that the improvement plan has every opportunity to work.
   - ❒ If a PIP is successful, a new Review Period is begun.
   - ❒ If a PIP is not successful, the supervisor should consult with the agency's Human Resource's office to determine any further action.

Performance Development System Implementation Checklist

A. Beginning the Review Period

- ❒ Within fourteen (14) days of the beginning of the Review Period, discuss the important duties, Individual Development Plan, and competencies and behavioral anchors of the job with the employee. A conversation should be held and an agreement met regarding the employee's Individual Development Plan.
- ❒ Complete the PDS Assessment document.
- ❒ Review the PDS Assessment with the First Level Reviewer for approval, and obtain signature and date.
- ❒ Meet with the employee and review and finalize the PDS Assessment.
- ❒ Request the employee's initials on each page of the Assessment, and ~~get~~ request that the employee sign and date Part A, Section 1.
- ❒ Provide the employee with a copy.
- ❒ Provide the Human Resources Office with a copy.
- ❒ Put originals in the Supplemental Employee Performance Folder (SEPF).

B. During the Review Period

- ❒ Provide continuous coaching and feedback to the employee.
- ❒ Place employee and supervisor performance documentation in the SEPF.
- ❒ Review and update the IDP with the employee as needed.
- ❒ Conduct at least one formal Review and Feedback session of the behavioral anchors for the competencies being assessed during the sixth month of the Review Period for a permanent employee. If the employee is a probationary or new employee, conduct an initial assessment within fourteen (14) days of the date of hire and conduct a mid-cycle review within fourteen (14) days of the end of the sixth month.
- ❒ During the formal Review and Feedback session, complete Section D, and go over the R&F Column on the PDS Assessment with the employee.
- ❒ Have the employee sign and date Part A, Section 2
- ❒ Provide the employee with a copy of the Assessment.
- ❒ Place the original~~s~~ Assessment in the SEPF.
- ❒ Send a copy of the assessment to the agency's Human Resources office.

C. At the End of the Review Period

- ❒ Within fourteen (14) days of the end of the Review Period, review the documentation in the SEPF and assess the employee's performance against the competencies established at the beginning of the Review Period

- ❒ Discuss the assessment with the First Level Reviewer.
- ❒ Record the assessments of the behavioral anchors for each competency required for the job in Section D.
- ❒ Complete written statements regarding the reasons for your assessment in the "Results" section of each competency. **In the case of an "Improvement Needed" or "Not Demonstrated" assessment rating, written statements explaining the reasons are required.**
- ❒ Calculate the overall performance assessment rating.
- ❒ Record overall performance assessment rating in Part A, Section 3.
- ❒ Request a signature and date from First Level Reviewer of the PDS Assessment.
- ❒ Conduct a final assessment interview with the employee to discuss the performance assessment rating and documentation.
- ❒ Request an employee signature and date in Part A, Section 3.
- ❒ Review and discuss the accomplishments listed in the IDP, IE, or PIP.
- ❒ Provide the employee with a copy of the PDS Assessment document.
- ❒ Retain copies in the SEPF.
- ❒ Route the original to the Human Resources Office.

D. **The New Review Period**

- ❒ The time of the final assessment interview may also be used to begin the next Review Period.
- ❒ If the previous PDS Overall Competency Assessment was Outstanding (4.0) to Successful (3.0), the IDP should be updated to include any additional competency development and activities needed for the new review period and continued for the new review period.
- ❒ If the previous PDS Overall Competency Assessment rating was Improvement Needed (2.0), an Informal Effort (IE) must be developed with all competencies and activities identified that will be required of the employee during the IE 180-day period in order to achieve a Successful (3.0) rating. The IDP will not be updated or active during the IE 180-day period.
- ❒ If the employee has achieved the Successful (3.0) rating at the end of the IE 180-day period, the Informal Effort is closed. It is then signed and dated by the First Level Reviewer, Reviewing Supervisor, and employee. At this time, the IDP of the employee should be activated again and updated with new competencies and goals to be developed and continued.
- ❒ If the employee has not achieved the Successful (3.0) rating at the end of the IE 180-day period, one of two things occurs. If there is noticeable improvement in performance, the employee may remain on an IE for another 180 days. If there is no significant improvement, the employee may be placed on a PIP. (See pages - 25-26 for details).
- ❒ If the previous PDS Overall Competency Assessment was Not Demonstrated (1.0), a Performance Improvement Plan (PIP) must be developed. The PIP must identify all necessary competencies and activities to be accomplished by the employee in order to achieve a Successful (3.0) rating during the PIP 90-day period. The IDP will not be updated or active during the PIP 90-day period.
- ❒ If the employee has achieved a Successful (3.0) rating at the end of the PIP 90-day period, the

PIP is closed. It is then signed and dated by the First Level Reviewer, Reviewing Supervisor, and employee. At this time, the IDP of the employee should be activated again and updated with new competencies and goals to be developed and continued.

- ❒ If the employee has not achieved a Successful (3.0) rating at the end of the PIP 90-day period, the Reviewing Supervisor should discuss further action with the agency Human Resources Director.
- ❒ Within fourteen (14) days of the beginning of the new Review Period, the PDS Assessment document should be completed. Then the assessment review cycle then begins again.

PERFORMANCE DEVELOPMENT SYSTEM GUIDE FOR CONDUCTING ASSESSMENT SESSIONS

A. Planning

1. Plan what will be discussed related to the PDS.
2. Anticipate questions, and be prepared to respond to them.
3. Prepare to provide specific information regarding what will be assessed, how it will be assessed, and what is required to achieve a rating of Successful (3.0).

B. Physical Setting

1. Conduct the session in a comfortable, private setting.
2. Create an air of informality by sitting on the same side of the desk as the employee or by sitting at a table.

C. Considerations

a. Block out sufficient time to conduct the session in a relaxed manner.
b. Eliminate distractions and interruptions.
c. Understand that the employee may be nervous.
d. Put the employee at ease by being empathetic, i.e. putting oneself in the employee's place.

D. Communication

1. Express concern for the employee's comfort.
2. Explain the purpose of the session, how long it will take, and the format. Make sure the employee understands by encouraging any questions about the process.
3. Begin by asking the employee to discuss his or her self-assessment. Listen and try to understand the employee's perspective.
4. Discuss, in a non-threatening manner, any areas in which there is a discrepancy in perspectives.
5. Ask the employee for feedback on what support the supervisor can provide to enhance performance.
6. Be open-minded, and do not take any suggestions or negative comments personally.
7. Review all factors to be evaluated, and give specific examples and facts, using available documentation.
8. Provide constructive suggestions for improvement.
9. Follow the guidelines for giving and receiving feedback.
10. Try to have balanced communication between the parties.
11. End the session with a discussion of goals, and complete an Individual Development Plan, Informal Effort, or Performance Improvement Plan.

PERFORMANCE DEVELOPMENT SYSTEM GUIDE FOR JOB CONTENT PAGE

A. Components of the Job Content Page

1. A **Duty Statement** is a distinct, major role or function which may include an employee's principal responsibilities and occupies a significant portion of his or her time.

2. **Job Complexity** indicates the difficulty and general complexity of the work performed in a given position. The scale ranges from 1-7 as follows:
   a. The work is routine or highly repetitive and simple in nature with little or no choice of action.
   b. The work is routine or repetitive and follows clearly prescribed standard practice involving straightforward application of readily understood rules and procedures. The employee may make minor decisions, usually of relatively little importance, which affect efficiency of the operation rather than accuracy, correctness, or quality of work.
   c. The work is generally routine or standardized but involves a choice of action within limits defined by standard practices and instructions. It also requires applying established rules and procedures and making decisions that may affect quality, accuracy, or utility of results.
   d. The work is generally semi-routine or diversified and requires judgment in applying broader aspects of established practices and procedures to problems and situations not falling clearly within the limitations of accepted standards and precedents. The employee works toward assigned objectives, sometimes adopting or modifying methods and standards to meet changing conditions.
   e. The work is governed generally by broad instructions, objectives, and policies, usually involving frequently changing conditions and problems. It requires considerable judgment to apply factual background and fundamental principles in developing problem-solving approaches and techniques.
   f. The work requires analysis of broad problems, the planning of interrelated activities, and sometimes requires the coordination of efforts of more than one major department or division. The employee develops programs and approaches to major problems using recognized general principles.
   g. The work involves responsibility for consideration and analysis of major problems for the organization. It requires development of data and recommendations influencing decisions on long-term policies relating to major functions for which no precedent has been established.

3. The **Frequency of Duty** may be 1) Regularly, 2) Periodically, or 3) Infrequently.

4. Duties are rated as **Essential or Marginal** to the given position.

5. The **Consequence of Error** is rated on a 1-5 scale as follows:
   a. Low – little effect beyond inconvenience
   b. Limited – loss of time
   c. Moderate – detrimental to reputation and services of the organization
   d. High – loss of program effectiveness, embarrassment to the organization, and impacts on working relationships with other agencies
   e. Serious – cause loss of life or limb

PERFORMANCE DEVELOPMENT SYSTEM GUIDE FOR INDIVIDUAL DEVELOPMENT PLANS

A. **Individual Development Plan (IDP)**

1. **Initial IDP Meeting**
   a. Prior to beginning the initial PDS Assessment, discuss the IDP process and goals with the employee. Identify his or her career and job goals and any competency or behavioral anchor that could be developed or enhanced with targeted developmental activities.

2. **Components of the IDP**
   a. Include no more than three (3) **specific competencies and/or behavioral anchors** to be developed or enhanced.
   b. Identify the **goals/desired outcomes** for each of the three areas identified.
   c. Determine what **developmental activities would** provide the greatest likelihood that the desired outcomes will be achieved.

NOTE: The activities should be distributed as follows: 70% - Challenging, Uncomfortable, Stretching Tasks/Assignments; 20% - Studying and Working with Others to Observe Useful Behavior and Get Feedback, 10% - Thinking Differently or Finding New Ways to Think about Things (Courses, Reading, Etc.).

   d. Determine **time frames** within which the employee is expected to achieve the desired outcomes.
   e. An evaluation of the effectiveness **of the developmental activities** in achieving the stated goals is **conducted at the conclusion of each activity**.

B. **Completing the IDP**

1. **Career Goals** are the larger, "big picture" goals for the direction the employee's career is taking. Examples of these include: a new hire learning the necessary knowledge and skills to perform effectively, advancement to another position, or leaving a legacy at the agency after retirement. Short term career goals have a target of 1-2 years. Long term career goals have a target of 3-5 years.

2. Under **competencies/behavioral anchors**, enter the competency and behavioral anchor that best correlates to the employee's career goals. Choose from the competencies/behavioral anchors listed on the Performance Development Assessment (PDA).

3. Under the **goals/desired** outcomes section, list the effects that the development activities should have and/or how they should enhance the employee's demonstration of the competencies listed. (Example: become a better communicator or presenter).

4. **Developmental Activities** are the actions that the employee will take to reach the goals associated with the specified competency and behavioral anchor. These activities may include cross-training, attending a class, reading books on a specific topic, etc.

5. Each activity needs a **time frame** by which it will be completed. This time frame does not have to be consistent with PDS assessment dates such as "Review and Feedback" at six (6) months or final review at twelve (12) months. This time frame will vary depending on the activity. For example, if reading a short book is the activity, the time frame may be two to three weeks.

6. After the activity is done, an evaluation of the **effectiveness of the activity** is to be completed by the first level reviewer. Did the activity achieve the goal stated in the competency goal area?

PERFORMANCE DEVELOPMENT SYSTEM GUIDE FOR INFORMAL EFFORTS

A. **Informal Efforts (IE)**

1. **Improvement Needed Performance**
   a. Improvement Needed performance, as indicated by an overall assessment of 2.0—2.9 at the time of the final assessment, must be supported by appropriate documentation and result in an Informal Effort (IE) or a Performance Improvement Plan (PIP).

2. **Review and Implementation of the IE**
   a. The Reviewing Supervisor must explain the IE and the specific actions/steps to be taken by both the Reviewing Supervisor and the employee to improve performance.
   b. The Reviewing Supervisor should initiate the following actions: (1) counseling on a systematic, job-related basis; (2) regular and careful review of work; and (3) On-site and/or off-site training.

3. **Overview of the IE**
   a. The IE will specify what competencies and behavioral anchors will be targeted for improvement, based on the PDS Assessment Formal Review; when, where, and how often the supervisor and employee will meet during the IE period. It will also include the type of support to be given by the supervisor (coaching, counseling, training, etc.), the specific actions to be taken by the employee, and the specific performance expectations of the supervisor.
   b. The plan will provide a reasonable amount of time (180 days) for performance improvement to take place and must include a reassessment date.
   c. Within fourteen (14) days of the specified reassessment date, the supervisor and employee will meet to review expectations and progress of the employee in meeting those expectations.
   d. If the employee's performance is Successful (3.0) at that time, an IDP will be initiated.
   e. If the employee's performance has not reached Successful (3.0) at the time of the reassessment, the Human Resources Director will be informed immediately and will determine what action will be taken.
   f. If noticeable improvement is made, but performance does not reach Successful (3.0), the employee may be kept on the IE for another 180 days. For example, an employee whose performance goes from (2.1) at the beginning of the IE period to (2.8) at the end of the 180 days should be eligible to remain on the IE.
   g. If performance does not improve or worsens, the employee **should** be placed on a PIP.

4. **Completing the IE**

   a. The IE is completed on the same form as the IDP and PIP (Section D of the Performance Development Assessment).
   b. On the IE, only the short term **Career goal** will be completed. The goal of the IE is to bring the employee's level of performance to a Successful (3.0) rating within the given 180-day period.
   c. The **competencies/behavioral anchors** that should be addressed in the IE are those on which the employee failed to reach a Successful (3.0) rating.
   d. The **goals/desired outcome** of the developmental activity will be to improve performance to a minimum of Successful (3.0) within 180 days.
   e. Developmental activities will be determined by the supervisor, with input from the employee when possible, to work towards performance improvement.
   f. At the end of the 180-day period, the reviewing supervisor will evaluate the **effectiveness of the activity,** which will be determined by whether the employee's performance has improved to Successful (3.0).

PERFORMANCE DEVELOPMENT SYSTEM GUIDE FOR PERFORMANCE IMPROVEMENT PLANS

A. **Performance Improvement Plan (PIP)**

1. **Not Demonstrated Rating**
   a. A Not Demonstrated rating, as indicated by an overall assessment of 1.0—1.9 at the time of the final assessment must be backed by appropriate documentation and result in a Performance Improvement Plan (PIP).

2. **Review and Implementation of the PIP**
   a. The PIP must be reviewed by the Human Resources Director or his or her designee prior to being presented to the employee.
   b. Upon approval, the PIP must be discussed with the employee and be signed off on by both parties within fourteen (14) working days of the final assessment interview.

3. **Overview of the PIP**
   a. The PIP will specify what competencies and behavioral anchors will be targeted for improvement, based on the PDS Final Assessment; and when, where and how often the supervisor and employee will meet during the PIP period. It will also include the type of support to be given by the supervisor (coaching, counseling, training, etc.), the specific actions to be taken by the employee, and the specific performance expectations of the supervisor.
   b. The plan will provide a reasonable amount of time, ninety (90) days, for performance improvement to take place and must include a reassessment date.
   c. On the specified reassessment date, the supervisor and employee will meet to review expectations and progress of the employee in meeting those expectations.
   d. If the employee's performance is Successful (3.0) at that time, an IDP will be initiated.
   e. If the employee's performance has not reached Successful (3.0) at the time of the reassessment, the Human Resources Director will be informed immediately and will determine what action will be taken.

4. **Completing the PIP**
   a. The PIP is completed on the same form as the IDP and IE (Section D of the Performance Development Assessment).
   b. On the PIP, only the short term **Career goal** will be completed. The goal of the PIP is to bring the employee's level of performance to a Successful (3.0) rating within the given ninety (90) day period.
   c. The **competencies/behavioral anchors** that should be addressed in the PIP are those on which the employee failed to reach a Successful (3.0) rating.

d. The **goals/desired outcome** of the developmental activity will be to improve performance to a minimum of Successful (3.0) within ninety (90) days.

e. Developmental activities will be determined by the supervisor, with input from the employee when possible, to work towards performance improvement.

f. At the end of the ninety (90) day period, the reviewing supervisor will evaluate the **effectiveness of the activity,** which will be determined by whether the employee's performance has improved to Successful (3.0).

PERFORMANCE DEVELOPMENT SYSTEM DOCUMENTATION

One of the key tasks for any employer is creating and maintaining thorough documentation that employment matters are handled **fairly and consistently**.

Given the importance of proper documentation in all employment matters, supervisors should keep in mind the following tips.

ELEMENTS OF GOOD DOCUMENTATION INCLUDE:

- A clear statement of purpose;
- Specific headings on who, what, why, when and where; A clear description of relevant facts;
- An objective rendition without personal opinion; Facts, not opinions;
- Recounting of employee acknowledgement of relevant policy; Proof of policy adherence;
- Clear statement of a course of action; Dates;
- Signatures of all relevant parties or documentation that a party refused to sign; and Sound and consistent filing system.

COMMON DOCUMENTATION PROBLEMS ARE:

- Missing or insufficient documents;
- Untimely documentation;
- Subjective evaluations;
- Inconsistency;
- Over-documentation;
- Improper filing; and
- Conflicting documentation.

AVAILABLE SHORTCUTS IN DOCUMENTATION INCLUDE:

- Calendar entries;
- Memo forms;
- Good note taking during sessions and interviews; and
- A plan for sessions.

TIPS FOR DOCUMENTING EMPLOYEE PERFORMANCE:

- Use the Performance Development System.
- Make effective use of the competencies and behavioral anchors. Provide consistent feedback to reinforce and document notice. Document as a matter of routine.
- Focus on performance, not on people.

PERFORMANCE DEVELOPMENT SYSTEM FEEDBACK

Feedback Goals:

- Acknowledge and reinforce specifically what things are going well, i.e. answer the question, "How am I doing?"
- Identify where change is needed and exactly what change needs to be made, i.e. answer the question, "What do I need to do differently?"
- Increase common understanding of performance expectations.
- Improve future performance and communication.

Giving Feedback:

- Address specifics, not generalities. Be descriptive and discuss behavior.
- Focus on finding solutions and looking toward the future. Ask for input.
- Be respectful of the dignity and opinions of others.

Receiving Feedback:

- Listen carefully.
- Ask clarifying questions. Acknowledge what is being said.
- Take your time, and allow the employee to do so as well.

PERFORMANCE DEVELOPMENT SYSTEM SEPF
SEPF CONTENTS:

The Supplemental Employee Performance Folder (SEPF) should contain all data relevant to the job performance of the individual employee to whom it pertains. It **should not** contain disciplinary or personnel information. Appropriate SEPF information includes:

- ✓ The original version of the current Performance Development System Assessment document.
  - A copy of the previous assessment document, if available.
  - Examples of work, if appropriate.
- ✓ Any performance-related information the employee wants to contribute, including a self-assessment.
- ✓ Any valid performance-related information, positive or negative, from the supervisor or other sources.
- ✓ Documentation of failure to demonstrate desired behavior for reasons beyond the employee's control, if appropriate.
- ✓ Results of each review and feedback session.
- ✓ The original version of the Individual Development Plan, Informal Efforts, or Performance Improvement Plan and any follow-up documentation, if appropriate.

SEPF ACCESS:

The SEPF must be maintained by the supervisor in a secure location, apart from the employee's personnel file, and shared ONLY with the employee, the First Level Reviewer, and the Director of Human Resources or his or her designee.

All contents of the SEPF are available upon request to the employee.

PERFORMANCE DEVELOPMENT SYSTEM DEFINITIONS

DEVELOPMENT:

- A set of learning experiences designed to maximize performance and engagement of employees throughout the organization.
- The strategic investment by an organization in the training and development of its members.

FINAL ASSESSMENT RATING:
The last assessment of the review period which results in a determination of Outstanding (4.0), Successful (3.0), Improvement Needed (2.0) or Not Demonstrated (1.0) performance.

FIRST LEVEL REVIEWER:
The Reviewing Supervisor's immediate supervisor.

IMPROVEMENT NEEDED (2.0) PERFORMANCE:
Assessment level indicating that an employee shows frequent, but not consistent competency required for the position.

INDIVIDUAL DEVELOPMENT PLAN (IDP):
A written action plan jointly developed by the employee and the reviewing supervisor to foster individual performance growth.

INFORMAL EFFORT (IE):
A written action plan, jointly developed by the employee and the reviewing supervisor to outline actions required to bring a final Improvement Needed (2.0) performance assessment to a Successful (3.0) performance assessment level.

NOT DEMONSTRATED (1.0) PERFORMANCE:
Assessment level indicating that an employee does not show the competency required for the position.

OUTSTANDING (4.0) PERFORMANCE:
Assessment level indicating that an employee is above the expected level of competency required for the position.

PERFORMANCE DEVELOPMENT SYSTEM (PDS):
A system which assesses an employee's performance and provides employees with a plan that fosters individual employee development.

PERFORMANCE IMPROVEMENT PLAN (PIP):
A written action plan, jointly developed by the employee and the reviewing supervisor, to outline

actions required to bring a final Not Demonstrated (1.0) performance assessment to a Successful (3.0) performance assessment level.

REVIEW PERIOD:
A time period of at least ninety (90) days and not more than 365 days for which an employee's performance is reviewed.

REVIEWING SUPERVISOR:
The last person to have supervised the employee for a minimum of a ninety (90) day period at the time the Final Assessment is due.

SECOND LEVEL REVIEWER:
The immediate supervisor of the First Level Reviewer.

SUCCESSFUL (3.0) PERFORMANCE:
Assessment level indicating that an employee consistently shows competency equal to that required for the position.

VALID ASSESSMENT:
An assessment completed as a result of an employee's job performance for at least ninety (90) days and no more than 365 days.

The Mississippi State Department of Health (MSDH) has established disciplinary and grievance policies and procedures in accordance with the procedures set forth by the Mississippi State Personnel Board. These policies are fair, prompt, and legally sufficient. All disciplinary actions will be taken in accordance with these policies. All disciplinary actions are grievable. The procedures for filing a grievance follow the discipline policies.

8.1 Guidelines of Offenses

Group One Offenses

Generally, these offenses are less severe and may be disciplined by written reprimand. The accumulation of three (3) written reprimands within a three-month period may result in suspension without pay not to exceed three (3) working days. Four (4) written reprimands within a six-month period may result in demotion or dismissal. Multiple reprimands may not be issued for the same occurrence or event. State Service employees facing disciplinary action for accumulating written reprimands are entitled to due process prior to being suspended, demoted or dismissed.

Group One includes the following offenses:

1. unexcused tardiness;
2. abuse of State time such as unauthorized time away from the work area or failure to notify supervisor promptly upon completion of assigned work;
3. obscene or abusive language;
4. conviction of a moving traffic violation, excluding driving under the influence, while operating a State vehicle.

Group Two Offenses

Acts and behavior in this group are generally more severe than Group One offenses. Group Two offenses may be disciplined by written reprimand and/or suspension without pay not to exceed five (5) working days. Two (2) Group Two reprimands within a one-year period may result in demotion or dismissal. Accumulation of one (1) written reprimand for a Group Two offense and three (3) written reprimands for Group One offenses within a one-year period may result in demotion or dismissal. Multiple reprimands may not be issued for the same occurrence or event. State Service employees facing disciplinary action for accumulating written reprimands are entitled to due process prior to being suspended, demoted or dismissed.
Group Two includes the following offenses:

1. Insubordination, including, but not limited to, resisting management directives through actions and/or verbal exchange, and/or failure or refusal to follow supervisor's

instructions, perform assigned work, or otherwise comply with applicable established written policy;

2. Violation of safety rules in the absence of a threat to life;
3. Leaving the work site without permission during working hours in the absence of a threat to life.

Group Three Offenses

Acts and behavior in this group are of the most serious nature. Commission of one (1) Group Three offense may be disciplined by a written reprimand and/or may result in suspension without pay for up to thirty (30) working days, demotion, or dismissal.

Group Three includes the following offenses:

1. Unauthorized absence or leave in excess of three (3) consecutive working days without required notification and satisfactory explanation to the supervisor or the appointing authority in a timely manner;
2. Chronic absenteeism which is defined as three (3) or more incidents of unauthorized absence without required notification and satisfactory explanation to the supervisor or the appointing authority in a timely manner within any ninety (90) day period;
3. Use or possession of alcohol while on the job or on the employer's premises or reporting to work under the influence of alcohol, or when ability is impaired by alcohol;
4. The unlawful manufacture, distribution, possession, or use of controlled substances while on the job or on the employer's premises or reporting to work under the influence of controlled substances, or when ability is impaired by the unlawful use of controlled substances;
5. Refusal to take a drug or alcohol test when requested to do so by an employer with a written drug and alcohol testing policy pursuant to Mississippi Code Annotated, § 71- 7-3.
6. Falsification of records, such as, but not limited to, vouchers, reports, time records, leave records, employment applications, or other official State documents;
7. Willful or negligent defacement of or damage to the records or property of the State, another employee, or business invitee of a State agency or office;
8. Acts of physical violence;
9. Violation of safety rules causing a threat to life or human safety;
10. Unauthorized possession or use of firearms, dangerous weapons or explosives;
11. Threatening or coercing employees, supervisors, or business invitees of a State agency or office, including stalking;
12. Unauthorized use or misuse of State property or records;
13. An act or acts of conduct, including, but not limited to, the arrest or conviction for a felony

or misdemeanor, occurring on or off the job which are plainly related to job performance and are of such nature that to continue the employee in the assigned position could constitute negligence in regard to the agency's duties to the public or to other State employees;

14. An act or acts of conduct occurring on or off the job which are plainly related to job performance and are of such nature that to continue the employee in the assigned position could constitute negligence in regard to the agency's duties to the public or to other State employees;
15. Engaging in prohibited political activity;
16. Leaving the work site without permission causing a threat to life or human safety;
17. Theft on the job;
18. A breach of agency security or confidentiality;
19. Willful violation of MSPB policies and procedures, including, but not limited to refusing to cooperate and/or giving a false statement in an investigation of possible violation of MSPB policies and procedures;
20. Operation of a state-owned motor vehicle without a valid driver's license from the State of Mississippi or a contiguous state;
21. The failure of any appointing authority or supervisor of any employee to properly deduct an employee's donation of leave to another employee for a catastrophic injury or illness from the donor employee's earned personal leave or major medical leave.

8.2 Corrective Action

An employee's supervisor may attempt to correct unacceptable behavior with a verbal warning, counseling, and/or other informal means. Corrective action of this nature is considered informal; however, a written account of the action taken is placed in the employee's personnel file. Documentation of corrective actions may be kept indefinitely in order to establish a pattern of employee conduct.

8.3 Forms of Discipline

The appointing authority or designated representative shall take action to formally discipline an employee who is guilty of an offense. All forms of discipline are grievable and/or appealable. The employee shall be given an opportunity for a conference (due process hearing) with the appointing authority or designated representative and to respond prior to any suspension, demotion, or termination. When a conference has been held prior to an employee being issued a written reprimand, the affected employee may appeal directly to the Employee Appeals Board without exhausting the grievance procedure.

In extraordinary circumstances, the employee may be placed on immediate suspension with pay

pending a hearing on the matter.

The appointing authority or a designated representative may attempt to correct unacceptable behavior with a verbal warning and/or counseling and/or other appropriate informal means, whenever practical, prior to taking formal action against an employee.

8.4 Documentation of Corrective and Disciplinary Actions

1. When the appointing authority or designated representative has taken corrective action preliminary to a formal disciplinary action, a written account of such action may be placed in the employee's personnel file. Formal disciplinary actions include written reprimand, suspension, demotion, and dismissal.
2. When an employee has been issued a written reprimand, a copy of the reprimand must be placed in his or her personnel file. All written reprimands must clearly state that it is a written reprimand and state the specific conduct of the employee and the particular offense committed. The written reprimand must also inform the employee of his/her right to grieve the reprimand in accordance with MSPB grievance procedure.
3. Documentation of corrective actions and disciplinary measures, including written reprimands, may be kept indefinitely in the employee's personnel file for the purpose of showing a pattern of employee conduct.
4. Before any written documentation of corrective action or disciplinary measure is placed in an employee's personnel file, the employee shall be given:
   - a copy of the material to be placed in his or her file; and
   - written notice that the material will be placed in his or her personnel file.
5. The appointing authority will keep a copy of the notice, which will contain either the employee's acknowledgment that he or she has received the material, and the notice, or a statement signed by the person who delivered the material and the notice that the employee refused to sign such an acknowledgment.
6. The appointing authority will determine what job-related information will be included in each employee's personnel file. However, the inclusion of any information that may adversely affect a permanent State Service employee's compensation or employment is a grievable and appealable issue.

8.5 Suspension

The appointing authority may suspend an employee without pay or other compensation as punishment for disciplinary cause. An agency may not suspend an employee without pay as punishment for disciplinary cause for more than thirty (30) workdays during any twelve (12) month period. The twelve (12) month period shall begin with the first day of the first suspension.

In extraordinary circumstances, the appointing authority or designated representative may immediately suspend an employee with pay. Such employee must be given an opportunity for a hearing with the appointing authority or designated representative within twenty (20) working days of the suspension, at which time the appointing authority may make a final decision. Further, where the employee has been charged with a felony, the appointing authority or designated representative may suspend an employee without pay pending a post suspension hearing to be held within twenty (20) working days from the first day of suspension. This period of suspension without pay pending a post suspension hearing shall not be considered as punishment for disciplinary cause.

8.6 Disciplinary Demotion

A permanent State Service status employee may be demoted from a position in one class to a position in a lower class having a lower salary range and having less discretion or responsibility only for cause. The demotion may be in addition to a suspension without pay for disciplinary cause. The salary will be certified in accordance with policies and procedures regarding demotion.

8.7 Dismissal

A State employee may be dismissed or his or her employment terminated voluntarily or involuntarily. Voluntary severance of employment occurs when a State employee submits his or her resignation of employment. An involuntary severance of State employment can occur based upon a Reduction in Force, disciplinary action, failure of the employee to continue to meet the eligibility criteria for the position held or an inability to perform the essential functions of the job.

The appointing authority may dismiss a permanent State Service status employee only for good cause. A probationary employee may be dismissed by the appointing authority at any time during the probationary period, with or without cause.

8.8 Due Process

Prior to disciplinary action: *Due Process = Written Notice + Opportunity to Respond*

All permanent State Service employees, (i.e., all State government employees who have successfully served twelve (12) months in State Service designated positions), are entitled to procedural due process of law prior to any employment action to dismiss or otherwise adversely

affect their compensation or employment status. The process which is due to each State Service employee is written notice of a proposed disciplinary action which states with sufficient particularity what charges or allegations are being made concerning the employee, the proposed discipline which may be taken, and the opportunity for a conference with the appointing authority or designated representative allowing the employee to respond and present a defense to the allegations prior to final action by the appointing authority. The written notice shall be presented to the employee at least seven (7) working days prior to the conference. The employee may also respond in writing to the allegations contained in the written notice.

Below are the elements of due process afforded to *State Service* employees:

- The written notice presented to an employee prior to a conference must list all of the reason(s) for the appointing authority's consideration of the adverse action and the written notice of the appointing authority's final decision to take adverse action must restate all of the reason(s) for the action. The reason(s) listed in these notices shall be specific by setting forth the particular group offense(s) violated and the charge(s) or ground(s) upon which the disciplinary action is predicated. The reason(s) listed in these notices will be the only reason(s) to be addressed throughout the appeals process.

- In extraordinary circumstances, an employee may be suspended immediately with pay. Such employees must be given an opportunity for a hearing with the appointing authority or designated representative within twenty (20) working days of the suspension, at which time the appointing authority may make a final decision. Further, where the employee has been charged with a felony, the appointing authority or designated representative may suspend an employee without pay pending a post suspension hearing to be held within twenty (20) working days from the first day of suspension. This period of suspension without pay pending a post suspension hearing shall not be considered as punishment for disciplinary cause. Extraordinary circumstances means a situation in which, based on the judgment of the appointing authority or designated representative, retention of an employee could reasonably result in damage to State property, be detrimental to the interests of the State or result in injury to the employee, to a fellow employee, or to the general public, including inmates, patients, and residents of institutions.

- If the employee waives a hearing, the appointing authority or designated representative may make a final decision after the waiver. The waiver of the hearing shall be determined by an employee's written statement of waiver or by the employee's failure to respond in writing or appear at the conference with the appointing authority or designated representative by a pre-established date and time. The appointing authority will notify the employee of his/her decision within a reasonable period of time after the hearing.

8.9 Grievances

A permanent State Service employee may file a grievance on those issues listed below, through the grievance procedure.

A probationary employee in a State Service position, or a non-State Service employee in, or applicant for, an authorized employment position in an agency which employs State Service employees may grieve only alleged acts of discrimination based on race, color, religious creed, national origin, sex, age, disability or political affiliation in any personnel action or employment practice.

Grievable Issues

The following issues are grievable under the State Service grievance procedure:

A. written reprimands;

B. application of personnel policies, procedures, rules, regulations and statutes;

C. acts of reprisal against an employee for using the grievance procedure;

D. complaints of discrimination on the basis of race, color, creed, sex, religion, national origin, age, disability, or political affiliation;

E. any matter of concern or dissatisfaction to an employee if the matter is subject to the control of agency management, except those listed in the following section as non-grievable;

F. performance review ratings to the extent they affect an employee's employment status or compensation;

G. permanent relocation of an employee as a disciplinary measure, and/or where the employee can present substantive evidence that the management decision to relocate the employee was arbitrary or capricious;

H. dismissal or adverse action taken against an employee who reports an alleged improper governmental action to a State investigative body as defined in Mississippi Code Annotated § 25-9-171.

Non-Grievable Issues

The following are non-grievable issues under the State Service grievance procedure:

A. issues which are pending or have been concluded by direct appeal through administrative or judicial procedures;

B. temporary work assignments which do not exceed ninety calendar days;

C. budget and organizational structure, including the number or assignment of employees or positions in any organizational unit;

D. duties/performance standards established as criteria for performance review;

E. the selection of an individual by the appointing authority, department head, or designee to fill a position through promotion, transfer, demotion, or appointment unless it is alleged that selection is in violation of a written agency policy or of a MSPB rule on filling vacancies;

F. internal security practices established by the appointing authority, department head, or designee;

G. termination or layoff from duties because of shortage of funds or work, material change in duties or organization, or a merger of agencies;

H. any matter which is not within the jurisdiction or control of the appointing authority;

I. the content of published agency policy;

J. an action by an agency pursuant to Federal or State law, directives from the Governor's office, or court order;

K. establishment and revision of the compensation plan, and the policies, procedures, rules and regulations pertaining thereto;

L. position classifications; and

M. employee benefits.

Grievance Procedures

When a conference (due process hearing) has been held prior to an employee being issued a written reprimand, the affected employee may appeal directly to the **E**mployee **A**ppeals **B**oard (EAB) without exhausting the grievance procedure.

If the employee does not present the grievance within the specified time frame, it is considered waived. If the employee does not advance the grievance to the next step within the specified time frame, the last management decision stands.

If management does not react within the specified time frame, the employee may advance the grievance to the next level unless an extension of time to respond is granted to management by written mutual agreement.

All time limits may be extended by mutual written agreement.

It is the responsibility of the aggrieved employee's supervisor and agency human resources director to make certain that all grievances are handled as quickly as possible and without prejudice.

Grievance Procedural Steps

Step I

1. An employee who has a grievable complaint may submit in writing (on the Grievance Form located http://www.mspb.ms.gov) a description of the grievance with all other required information to his or her immediate supervisor within seven (7) working days of becoming aware of the cause of the complaint.
2. The supervisor is required to conduct an investigation of the grievance and meet with the aggrieved employee within three (3) working days after receipt of the Grievance Form.
3. The supervisor is required to give the employee a written response within three (3) working days after the meeting.
4. The human resources director or designee may assist in the filing of the grievance or answer any questions the employee may have in connection with filing the grievance.

Step II

1. If not satisfied with the Step I written decision, the employee may indicate (on the same form) the desire to have the grievance advanced to the next step. The grievance must be submitted to the next level of management within three (3) working days following receipt of the Step I supervisor's response.
2. The Step II supervisor is required to conduct an investigation of the grievance and meet with the aggrieved employee within three (3) working days after receipt of the Grievance Form.
3. The Step II supervisor is required to give the employee a written response within three (3) working days after the meeting.

Step III

1. If the second step does not resolve the grievance, the employee should use the same form to advance the grievance to the third step and forward the grievance to the agency head within three (3) working days after receipt of the Step II response.
2. The Step III agency head or designated representative is required to review the grievance and relevant information and meet with the employee within seven (7) working days after receipt of the Grievance Form.
3. The Step III agency head or designated representative is required to give the employee the final agency decision concerning the grievance within seven (7) working days after the meeting.

Special Procedure for Claims of Harassment or Discrimination

If the employee's grievance is a complaint of unlawful discrimination or harassment and the source of the alleged discrimination or harassment is in the employee's chain of command, the employee may skip the source of the alleged discrimination or harassment's level of management by proceeding to the next step in the process and filing the grievance directly with the discriminating or harassing supervisor's supervisor. If the alleged source of the discrimination or harassment is the employee's agency head, then the employee may contact the MSPB Executive Director for assistance and may be advised to file an appeal directly with the Employee Appeals Board without exhausting agency level remedies. (See *Prevention and Reporting Sexual Harassment Behavior* below.)

Time Limit

If a grievance is not presented within the time limits as set forth above, it will be considered waived. If a grievance is not advanced to the next step within the specified time limit or an agreed extension thereof, it will be considered settled on the basis of the supervisor's, appointing authority's or designee's last answer. If the supervisor, appointing authority, or designee does not answer the grievance within the specified time limit, the employee may elect to treat the relief requested as denied at that step and immediately appeal the grievance to the next step. Time limits on each step may be extended by mutual written agreement of the parties involved.

8.10 Prevention and Reporting Sexual Harassment Behavior

Policy Statement

MSDH strives to operate an agency free of any/all forms of sexual harassment, intimidation, or exploitation. This policy applies to all employees and contract staff, as well as to others who participate in MSDH programs and activities. Its application includes MSDH sponsored or supported programs and activities whether they be on-site or off-site, including in-state or out-of-state travel.

Where sexual harassment is found to have occurred, the MSDH will act to stop the harassment, prevent its recurrence, and discipline individuals who violate this policy. Disciplinary action may include all forms up to and including discharge, and/or other appropriate sanctions or actions.

Sexual Harassment Guidelines

It is a basic expectation that all individuals covered by this policy will treat one another with respect.

Reports of sexual harassment are taken seriously and will be dealt with promptly. The specific action taken in any particular case depends on the nature and gravity of the conduct reported and may include intervention, mediation, investigation, and the initiation of grievance and disciplinary processes as discussed more fully below.

The agency recognizes that confidentiality is important. Managers, human resources personnel, and others responsible for implementing this policy will respect the confidentiality and privacy of individuals reporting or accused of sexual harassment to the extent reasonably possible. Examples of situations where confidentiality cannot be maintained include circumstances when the agency is required by law to disclose information (such as in response to legal process) and when disclosure is required by the agency's outweighing interest in protecting the rights of others.

Retaliation and/or reprisals against an individual who in good faith reports or provides information in an investigation about behavior that may violate this policy are against the law and will not be tolerated. Intentionally making a false report or providing false information, however, are grounds for discipline.

Agency employees and contract workers are required to attend sexual harassment training within six months of employment, and at other times as determined by the Agency. All new employees will sign an acknowledgement of attending this training and their understanding of the agency’s sexual harassment policy. Existing employees who have attended the initial training should be retrained every two years. The Professional Enrichment Division of the Office of Human Resources shall maintain harassment-training records and provide periodic reports of employees nearing or past their training anniversary dates. Managers are required to schedule employees for retraining within 90 days of notification that the employee’s training is past due.

What is Sexual Harassment?

Sexual harassment is a form of discrimination in the United States that violates Title VII of the Civil Rights Act of 1964. It is defined as:

Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, and other visual, verbal, or physical conduct of a sexual nature constitute sexual harassment when:

- It is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in employment decisions or evaluations, or permission to participate in an agency activity;

Or

- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile work environment.

Determining what constitutes sexual harassment depends upon the specific facts and the context in which the conduct occurs. Sexual harassment may take many forms—subtle and indirect, or blatant and overt. For example:

- It may be conduct toward an individual of the opposite sex or the same sex.
- It may occur between peers or between individuals in a hierarchical relationship.
- It may be aimed at coercing an individual to participate in an unwanted sexual relationship or it may have the effect of causing an individual to change behavior or work performance.
- It may consist of repeated actions or may even arise from a single incident if sufficiently egregious.

The MSDH Policy on Workplace Violence Prevention (see MSDH General Agency Manual, Section 2.0) may also apply when sexual harassment involves physical contact or threat.

<u>What To Do About Sexual Harassment?</u>

Harassment Complaint Form (Form 533), may be downloaded from the agency's Intranet and used by employees to report cases of harassment to their management or used by managers as a guide for collecting salient information related to such complaints.

Consultation about sexual harassment is available from the MSDH Office of Human Resources. Consultation is available for anyone who wants to discuss issues related to sexual harassment, whether or not "harassment" actually has occurred, and whether the person seeking information is a complainant, a person who believes his or her own actions may be the subject of criticism (even if unwarranted), or a third party.

Often there is a desire that a consultation be confidential or "off the record." This can usually be achieved when individuals discuss concerns about sexual harassment without identifying the

other person(s) involved, and sometimes even without identifying themselves. Confidential consultations about sexual harassment also may be available from persons who, by law, have special professional status, such as licensed professional counselors available through the MSDH's Employee Assistance Program (EAP). There are also many other resources not connected with the agency that may provide individual counseling. (Also, see Special Procedure for Claims of Harassment or Discrimination above.)

Direct Communication

An individual may act on concerns about sexual harassment directly by addressing the other party in person or by writing a letter describing the unwelcome behavior and its effect and stating that the behavior must stop. MSDH Office of Human Resources can help the individual plan what to say or write, and likewise can counsel persons who receive such communications.

Reprisals against an individual who in good faith initiates such a communication violate this policy and may result in disciplinary action.

Third Party Intervention

Depending on the circumstances, third party intervention in the workplace setting may be attempted. Third party interveners may be managers, human resources professionals, assigned investigators, EAP counselors, other staff, or sometimes mediators unrelated to the agency.

When third party intervention is used, typically the third party (or third parties) will meet privately with each of the persons involved, try to clarify their perceptions, and attempt to develop a mutually acceptable understanding that can ensure that the parties are comfortable with their future interactions. Possible outcomes of third party intervention include explicit agreements about future conduct, changes in workplace assignments, substitution of one class for another, or other relief, where appropriate.

Other processes, such as a mediated discussion among the parties or with a supervisor, may also be explored in appropriate cases.

Formal Grievance, Appeal, and Disciplinary Processes

Grievance, appeal, or disciplinary processes may be pursued as applicable.

1. **Grievances and Appeals —**The relevant procedure(s) as outlined in the State Personnel Board Employee Handbook should be read carefully and precisely followed.

2. **Disciplinary Procedures —** In appropriate cases, disciplinary procedures may be initiated. The applicable disciplinary procedure depends on the status of the individual whose conduct is in question. For example, *permanent state service employees* enjoy certain employment protection rights, including notification and appeal, not afforded to *time limited* or *at will and pleasure* employees. Disciplinary matters, like other personnel matters, are confidential.

Procedural Matters

Investigations — If significant facts are contested, an investigation may be undertaken. The investigation will be conducted in a way that respects, to the extent possible, the privacy of all of the persons involved. In appropriate cases, professional investigators may be asked to assist in the investigation. The results of the investigation may be used in the third party intervention process or in a grievance or disciplinary action.

Recordkeeping —The MSDH Office of Human Resources may keep confidential records of reports of sexual harassment and the actions taken in response to those reports, and use them for purposes such as to identify individuals or departments likely to benefit from training so that training priorities can be established. No identifying information will be retained in cases where the individual accused was not informed that there was a complaint.

Consensual Sexual or Romantic Relationship

In general, there are special risks in any sexual or romantic relationship between employees in inherently unequal positions, and parties in such a relationship assume those risks. In the MSDH's context, such positions include (but are not limited to) supervisor and employee, management and subordinate, senior management and junior management, or mentor and trainee. Because of the potential for conflict of interest, exploitation, or favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the supervisor-employee context. These relationships may, moreover, be less consensual than the individual whose position confers power or authority believes. The relationship is likely to be perceived in different ways by each of the parties to it, and by others who may observe it, especially in retrospect. Moreover, such relationships may harm or injure others in the work environment.

Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome.

Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that he or she does not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also notify his or her supervisor or department head, so that such supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place. Should alternative arrangements not be readily available or arrangements not be economically feasible, then the parties to the relationship will need to consider other options in consultation with the Director of Human Resources.

To reiterate, the responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for discipline. Should the agency receive a verified charge of sexual harassment from an individual covered by this policy that culminates from a relationship as described above, (whether exercised inside or outside of the agency) and determines that the relationship was not registered as described above, then the individual with the greater authority will be held accountable.

The agency has the option to take any action necessary to ensure compliance with the spirit of this recusal policy, including transferring either or both employees in order to minimize disruption of the work group. In those extraordinarily rare situations where it is programmatically infeasible to provide alternative supervision or evaluation, the cognizant Agency Director (Office Director or higher) must approve all evaluative and compensation actions.

Performance Appraisal Procedure

The grievance procedure for Performance Appraisal Ratings (PAR) or Performance Development System (PDS) differs slightly from the procedure listed herein. Refer to the employee policies concerning these evaluations (Section 7.0).

Additional References

Employees should also refer to the *Mississippi State Employee Handbook* and/or the *Mississippi State Personnel Board's Policies and Procedures Manual* for additional information and guidance.
For matters that may involve Workplace Violence or Bullying, refer to Section 2.0, General Policies, of this manual.

9.1 General

The Budget Division of the Office of Finance and Accounts has the responsibility for coordinating the departmental budgets and ensuring budget authority exists prior to hiring new personnel and expending agency funds. In addition, this office handles many departmental support functions such as allocating indirect charges to program areas, and reviewing grants and grant applications.

9.2 State Budget Process

The State of Mississippi provides funds to its agencies through a complex budgetary process. Each agency is required to submit a budget or budgets for its fund(s) two years in advance, (i.e., the 2004 budget must be submitted by August 2002). The requested budget(s) is submitted by the first of each August to both the Legislative Budget Office (LBO) and the State Department of Finance and Administration (DFA). The Governor and the Legislature rely on the reviews and assessments provided by these agencies when developing the budgets for all state agencies. During the legislative session (January through March or April), consideration is given to the agency budgets and they are enacted into law in the form of appropriation bills signed by the Governor. The appropriation bills define and authorize all agency expenditures for the approved fiscal year, which begins July 1. The budgets are entered into the DFA accounting system of general accounting for most agencies of the state. The DFA processes all payments for the agencies under its jurisdiction; before issuing a warrant the transaction is pre-audited to ensure there is available budget authority. The approved budgets are the governing documents for all expenditures.

To comply with the state budgetary regulations and the imposed deadlines, the Department of Health has established the internal planning process, detailed as follows.

9.3 Internal Budget Process

Since the budget must reflect personnel costs, equipment purchases, and program expenditures, the Department has combined all long-range and annual planning to coincide with the budget process. The IT Support plan, the program plans, and annual personnel plan are incorporated into a budget calendar, which is described below. The planning process formally begins in January of each year.

The Department of Health budgets and disburses funds by bureaus and divisions, districts, and counties. The Budget Division maintains the budget by major object codes by program.

A budget calendar is distributed to all office and division directors in January of each year. This

calendar outlines the schedule for submitting all budget-related items for the upcoming fiscal year and the two-years-in-advance fiscal year.

Budget preparation actually begins in March for the two-years-in-advance fiscal year. Offices compile a listing of anticipated needs and wants, including requests for changes in positions, realignments, and new positions. This listing is submitted in memorandum form to the Budget Division. The personnel data is also submitted to the Office of Human Resources at the same time.
The Budget Division determines the costs associated with the requests and prepares the Budget Requests documents. The Budget Request documents are then submitted to the State Health Officer for review and approval. Upon their approval, the Budget Division will finalize the budgets on the required forms and submit it by the August deadline.

9.4 Fiscal Year Budget

During May of each year after the legislative appropriation has been made, the Budget Division prepares budget worksheets for each budget unit.

These worksheets are submitted to the budget units for review and input, along with Guidelines for Worksheets, Guidelines for Fund Sources, and Fund Allocation Information.

Budget conferences are also scheduled during May and/or June to review each budget by item. At this time, funds are changed on positions, expenditure categories are increased or decreased, corrections are made, and budgets are combined or separated. If any changes are known prior to the meeting, the Budget Division makes those changes (i.e., taking out any one-time expenditures or grants that will expire during the year.) The office directors and program managers have an option of attending the conference. If they are in agreement with the budget or have only a minor change to be made, they many send a memorandum stating their positions.

Once the conferences have been completed and the problem areas resolved, the Budget Division prepares the final general ledger budget and payroll projection and submit it to the division directors as their official budget document for the upcoming year. If corrections are needed after this, they must be worked out with the Division Director on an individual basis.

9.5 Budget Revisions

During the fiscal year, there may be a need for a bureau to request a revision to its budget in order to shift funds from one category to another or to request additional funds. There may also be an occasion in which a grant escalates during the fiscal year. Any time a budget revision is needed, the initiating bureau must submit the request to the Budget Division. The request is

usually submitted on the Budget Revision by ORG or Budget Revision by RPTG form. The justification for the revision, along with the appropriate documentation, such as the grant award notice, should be attached. The Division Director for budgeting will review the request to determine if funds are available and if so will initiate the adjustment, with the approval of the Director of Finance and Accounts. If authority is not available, new positions and categorical authority will be requested from the State Department of Finance and Administration and/or the State Personnel Board, when appropriate.

9.6 Semi-Annual Budget Review

The Budget Division has instituted a procedure to review, on a semi-annual basis, each division's and district's budget(s). The review provides an opportunity for the Budget Division and the respective units to meet together and determine if a revision may be required to explain any new procedures, to solve any problems that may have been detected, and to plan the next year's budget process. The Budget Division contacts each division director and district administrator to schedule these meetings. The division director and administrator may attend, send representatives, or attend with representatives, as he or she chooses.

9.7 Indirect Costs

Expenditures may be either direct or indirect and must be accounted for as such. Direct expenditures are those that may be attributed to a specific program area or grant. For example, an employee's salary can be directly charged to a specific grant based on the actual percentage of time that employee works on a program funded by that grant. A charge that is considered indirect would be one for any service or expenditure which cannot be directly attributed to a specific program area but which provides a service to the program. The services provided by the accounting office would be an example of an indirect charge center; this office is responsible for the program expenditures and accounting for program funds, but it also performs similar services to the entire Department. The accounting office expense is then spread to all program areas for which it provided a service. The methodology utilized must be detailed in the agency's indirect cost plan.

The Department of Health has determined that the State Health Officer, the Office of Finance and Administration, and the Office of Health Informatics, with the exception of Vital Records, perform service functions for the entire agency and therefore these offices and positions are included in the agency's indirect cost plan. This plan must be submitted to the U. S. Department of Health and Human Services annually. The Department of Health and Human Services approves a standard rate for these services to be equitably applied to all grants and contracts that allow an indirect rate. The plan is submitted for the following year based on the prior year's actual expenses; therefore, the 2006 indirect cost rate is based on actual expenses from 2004. The

expenditure data is obtained for the audited financial statements for the State Department of Health.

9.8 Budgeting for Federal Grants

The Budget Division is required to review each grant application the Department of Health submits to a federal or state agency. Each federal grant for which an application is made must include indirect costs. The Budget Division reviews the application to ensure it complies with state and departmental budgetary policies, ensures matching funds are identified and available, and personnel costs are accurately reflected. To enable the Budget Division to perform this function, the grant application must be submitted to this office during the application process prior to the time it is submitted to the appropriate division director and State Health Officer for approval and transmittal to the granting authority.

10.1 General Purchasing Policies

The State of Mississippi has adopted stringent controls for the procurement of goods and services. The Department of Finance and Administration (DFA), Office of Purchasing and Travel, is responsible for supervising the procurement activities of all state agencies, departments, and institutions. Its regulatory activities include the purchase of commodities, equipment, furniture, and personal and real property, with funds from any source. Detailed information on all aspects of procurement is provided in the DFA Office of Purchasing and Travel Procurement Manual.

To ensure compliance with state law, the Mississippi State Department of Health (MSDH) has mandated that the Bureau of Facilities and Support Services, Purchasing Office, make all purchases, with the exception of local funds. In order to institute a purchase, the steps outlined in this manual must be followed. Deviation from this policy may result in a violation of the state purchasing law. Any employee causing a violation to occur shall be responsible for all repercussions, including any payments that must be made.

The DFA Office of Purchasing and Travel Procurement Manual prescribes procedures for competitive bidding, single-source commodity, and emergency procurements. Three types of purchases are authorized: small purchases of not more than $5,000.00; purchases in excess of $5,000.00 but less than $50,000.00; and purchases in excess of $50,000.00, which must be properly advertised as prescribed by Section 31-7-13, Mississippi Code of 1972, and Annotated.

Each office has a designated individual, with an assigned backup, to coordinate the division's purchase requests. The division designee will be responsible for receiving employee requests for purchases, grouping similar items, preparing the *Purchase Request* (Form 50) and receiving delivered goods for the division.

10.2 Request to Purchase

Whenever an employee wishes an item purchased, whether it is supplies, workshop materials, equipment, books, periodicals, etc., he/she must make the request through the employee designated by the division. Upon receipt of requests, the division designee should group similar types of commodities. For example, if two employees request file folders, the division designee should add the requests together and note that part of the request is for one employee and part is for the other.

An example of the *Purchase Request* (Form 50) and instructions for completing the form are found in the MSDH Forms Manual. The required information must be properly completed on the form for the request to be processed or it will be returned to the division for correction.

Upon completion of the form, the division designee should make a diligent effort to ensure that the program has sufficient funds available for the purchase. This step is critical and, if the Purchasing Office determines that funds are not available, the request will be returned to the division for revision. The division designee should forward the request to the division director for an approval signature. If the request meets with his/her approval, the division director, or designee, will forward the request to the Purchasing Office.

10.3 Payment Request

A *Payment Request* (Form 13) is used for payment and/or pre-payment of certain items and services needed by MSDH. These items include Object of Expenditure Codes 61300 and below (rent, utilities, repairs, services, and communications). An invoice (or vendor order form or letter) must accompany the request to be processed.

10.4 Purchasing

The Purchasing Office will purchase goods requested only after verifying the data and ensuring that it is in compliance with state and federal guidelines. Written bids (email or fax are acceptable) are required on all items to be purchased between $5,000.00 and $50,000.00, unless on state contract. All purchases over $50,000.00 must be advertised for at least two weeks, unless on state contract. Divisions may assist the Purchasing Office by developing specifications for procurement; however, the Purchasing Office must approve the specifications and place the advertisement in the newspaper. Items that are on state contract are required to be ordered from the state vendor.

All purchases will be made via a purchase order prepared by the Purchasing Office. Two copies of the purchase order will be forwarded to the requesting division, if the requesting division is also the receiving division. In the event that the receiving division is different, the Purchasing Office will forward one copy to the requesting division and one copy to the receiving division. If the purchase is made through multiple vendors, more than one purchase order will be issued to the division.

Orders may not always be filled promptly. This is especially true for items requiring outside advertisement. Please allow at least fifteen (15) working days from the time a purchase order is issued for orders to be filled.

All communications with vendors, suppliers, printers, etc., will be made by or with the permission of the Purchasing Office.

10.5 Receiving Goods

All deliveries shall be made to the receiving office identified on the *Purchase Request* (Form 50) and the purchase order (which may not be the same as the requesting division). The division designee, or the backup, will provide a signature for all goods received. If anyone else signs for the delivery of goods, MSDH may not be responsible for the goods or for payment. The division designee will be responsible for ensuring that the items ordered are delivered, the quantity of the items delivered matches the purchase order, and the goods are in acceptable condition. The division designee should compare the delivered items to the purchase order at the time of delivery.

The purchase order is also the receiving report. The designee must sign and date the purchase order and attach the delivery ticket(s) to the purchase order for forwarding to the Purchasing Office for payment.

If a partial order is received, a photocopy should be made of the purchase order, signed by the division designee, and the items received should be indicated. The delivery ticket(s) should be attached to the copy of the purchase order forwarded to the Purchasing Office.

10.6 Equipment/Inventory

Any equipment with an acquisition cost in excess of $1,000.00 is required to be placed on inventory. In addition, there are some items, regardless of the purchase price, that must be included on the division's inventory (see the section on Property Management).

The division designee must notify the Property Office when new equipment is received, or when inventoried equipment is transferred from the division to another entity.

10.7 Purchasing Guidelines for Local Funds

MSDH county offices do not purchase goods and services through the Office of Finance and Accounts. However, they must follow state purchasing procedures for making local purchases. Procedures have been developed for purchases made with funds maintained in local bank accounts at the county and district levels and these are discussed below.

Each county represents a separate purchasing entity with its own locally-appropriated funds. The district administrators are designated as the district purchasing agents. If necessary, other persons can be designated to assist in this function; however, the name of the designee must be provided, in writing, to the Purchasing Office. All requests for purchases must originate from the counties and must be written. Upon the issuance of a purchase order, one copy will be sent to the requesting county to notify the county of what has been ordered and to provide a comparison to the invoice once the order is received. Payment of invoices must include a copy of the purchase order and written verification, by the receiving county, that the invoice accurately reflects what was received.

All purchases should be made from state contracts, when applicable. The Purchasing Office will provide technical assistance, as needed, in areas such as updated state purchasing policies, current contracted items, and any other guidance that might be deemed necessary.

Purchase orders will be entered into the accounting system by the applicable district staff and approved by the necessary district personnel and the Office of Finance and Accounts. All purchase orders will be printed in the Office of Finance and Accounts and signed by the Purchasing Chief. Once signed, all copies of the purchase order will be returned to the district offices for final processing.

10.8 Petty Cash

Statute Reference

Section 7-7-59, Mississippi Code of 1972, Annotated, states:

A reasonable petty cash fund shall be allowed each state department, institution, board, commission, or other agency if, in the judgment of the State Fiscal Officer, such is necessary for the proper operation of the fiscal affairs thereof. The amount of such petty cash fund shall be fixed by the State Fiscal Officer in each case, but these funds shall be reimbursed only upon vouchers audited by the State Fiscal Officer. **It shall not be lawful for any petty cash fund to be used for cashing checks or otherwise advancing funds to any officer or employee of any state department or agency.**

10.9 Use of Petty Cash Fund

Petty cash funds are used to facilitate direct vendor payments of a minor amount. They may also be used to make change for customers, but not for employees. Counties may have more than one petty cash account, depending on need and physical location of branch offices. Petty cash funds must be sufficient to meet cash needs for not more than one month. **Petty cash may be used only for the purpose and authorized use stated in the request for establishment.** Should the proposed use of funds, the amount of petty cash needed, or the custodian of the fund change, the account should be re-established with the Office of Finance and Accounts, explaining the change. Typical uses for petty cash funds include the purchase of ice for shipping specimens, the purchase of batteries for pagers, making copies of office keys, payment of postage due on incoming mail, or the emergency purchase of small quantities of supplies which are not on state contract. Petty cash funds should not be used for any purchase not authorized by state purchasing laws and regulations.

Establishment of Petty Cash Fund

To establish a petty cash account or modify an existing one, the requesting official should write a letter to the Director of Finance and Accounts, specifying the following:

1. The purpose and authorized use of the petty cash fund.
2. The dollar amount requested. Accounts in excess of $500 will require additional justification that $500 is not sufficient for one month's petty cash needs.
3. The location where the petty cash fund will be maintained, including security measures for the protection of cash.
4. The name and title of the custodian of the fund. The custodian of the petty cash fund must be an employee of MSDH.

5. A signed certification that the custodian of the petty cash fund has read this policy and understands that he/she is personally responsible for the cash issued to him/her.

It is not necessary to re-establish a petty cash account because the custodian is temporarily absent on personal or medical leave. A memorandum, for the record, must be written and signed by all parties concerned to document an occurrence of a transfer of responsibility for the fund. When control of the fund changes, a person other than the custodian and temporary custodian should count the cash, add the un-reimbursed petty cash vouchers, and verify the authorized amount, before turning the account over to a temporary custodian. When the official custodian returns, the total should be verified by a third party before the fund is returned to the official custodian.

Petty Cash Fund Accounting

Petty cash funds are to be kept locked in a secure place, at all times, and the only person in possession of the key shall be the official custodian of the fund. **Unsubstantiated shortages shall be charged to the custodian/temporary custodian of the fund.**

1. A *Petty Cash Voucher* (Form 8) must be used to document the removal of cash from the cashbox.

2. All disbursements from petty cash must be supported by original receipts and vouchers bearing the signature of the payee. It must be clear from examination of each receipt exactly what was purchased. Purchases other than those authorized in the petty cash establishment letter will not be reimbursed.

3. At all times, the total cash in the cashbox plus any vouchers not yet submitted for replenishment, must equal the total authorized petty cash.

4. Petty cash accounts are to be reconciled monthly and verified by another employee when reimbursement is requested.

5. A periodic unannounced count of petty cash must be performed by an employee other than the custodian and a log of the counts showing the amount of cash on hand, receipts not reimbursed, the name of the person inspecting the fund, and the date, should be kept with the cashbox for audit purposes.

6. The original, signed receipts and vouchers are attached to Mississippi Department of Finance and Administration Form 29.60.10. Each disbursement of petty cash funds must be listed individually on the form in Section A. Attach additional sheets, as needed. Each sheet should be totaled separately and Section B should be completed on the last sheet to bring

forward the total(s) from additional pages. The "Grand Total Reimbursement" + "Actual Cash on Hand" + "Reimbursement Pending" must equal "Petty Cash Authorized". The form must be signed and dated by the custodian of the fund and verified by an employee other than the custodian. The custodian will retain a copy of the form on file. The signed original Form 29.60.10 and attached documents is forwarded to the Office of Finance and Accounts (or the district bookkeeper in the case of county funds) for payment. It is recommended that reimbursement be requested when one half of a petty cash fund has been disbursed to allow time for processing.

7. Should petty cash be stolen, a police report must be obtained and attached with any cash vouchers on hand to Form 29.60.10 for replenishment submission.

8. Should petty cash no longer be needed, the funds must be returned to the Office of Finance and Accounts, along with any unreimbursed cash vouchers. In the case of county petty cash or change funds, the money should be deposited to the appropriate county bank account.

10.10 Procurement Card

The State of Mississippi, Department of Finance & Administration (DFA), Office of Purchasing & Travel has in place a Procurement Card Program in which the Mississippi State Department of Health (MSDH) participates.

The procurement card is designed to provide a convenient and efficient method of purchasing commodities and/or services that are $5,000 and below. The use of the card replaces the traditional purchasing method of purchase orders, invoicing and individual check disbursement.

The procurement card is especially efficient for the payment of small dollar, high volume, recurring charges and one-time orders to vendors not listed in the State of Mississippi, DFA vendor file. The MSDH has a maximum limit of $25,000 per month on each card issued.

The MSDH has a designated procurement card program coordinator within the Office of Health Administration to handle all communication with the Office of Purchasing & Travel and the Contractor. This program coordinator will identify cardholders within the MSDH authorized to purchase on behalf of the State of Mississippi and will maintain and update written internal procedures consistent with the State of Mississippi Procurement Card Guidelines and with state purchasing laws.

Individual cards may be requested and issued, with appropriate justification, and each cardholder shall sign a statement verifying that he/she has read the minimum requirements and any additional policies established by the MSDH; that it is understood that he/she will be personally liable for any purchase that is made which is not in compliance with the procedures; and, in addition to being responsible for any such charges, the cardholder may lose privilege of using the procurement card.

The agency program coordinator shall sign a statement verifying he/she has read the minimum requirements and that it is understood that he/she may be held jointly liable for any purchase that is approved by the program coordinator that is not in compliance with the procedures. In addition to being responsible for any such charges, the agency may lose the privilege of using the procurement card. Also, the program coordinator maintains one (1) procurement card that may be used by various individuals for MSDH one-time purchases upon acceptance and agreement to the policy, procedures and minimum requirements.

The following are the minimum requirements for use of the Procurement Card Program: The cardholder(s) shall:

1. Assure that the item(s) purchased are required for official government purposes.
2. Assure that the prices paid are fair and reasonable.

3. Notify the merchant that the purchase is being made in the name of a government entity that is exempt from state and local taxes.
4. Assure that a list of items purchased (either in the form of a detailed sales receipt or an order description) is reviewed and confirmed by the cardholder.
5. Assure that all items are received (no back orders allowed).
6. Assure the state contract items are purchased only from the state contract vendor at or below the state contract price.
7. Assure that purchases are within the limits set by the MSDH and available budget authority.
8. Any form of travel related expense is not allowed.
9. Cash advances are not allowed.
10. Upon receipt of the monthly statement, the cardholder shall review all charges to assure accuracy, complete applicable disputes documents, if needed, reconcile the statement with copies of receipts and order logs, approve and sign the statement.
11. Forward the statement, copies of receipts and logs, and disputed documents to the MSDH procurement card program coordinator. This should be done within one working day after receipt of the statement. The program coordinator will forward the approved statement to Finance/Accounts for the payment.
12. Balances on credit card shall not be carried over to the next month except for disputed claims and only for the disputed amount.
13. Each cardholder is required to report lost or stolen cards as soon as the loss or theft is discovered.
14. Procurement cards issued to an individual may only be used by the named cardholder; only agency cards may be used by more than one person.

Detailed information on all aspects of the procurement card program is provided in the DFA Office of Purchasing & Travel *State Procurement Card Guidelines* Manual.

11.1 General

Travel policies are established for the use of the employees of the Mississippi State Department of Health (MSDH) who are required to travel in-state, out-of-state or out-of-country on official state government business. These policies are based on the guidelines established by the Mississippi Department of Finance and Administration (DFA) in accordance with Section 25-3-41, Mississippi Code Annotated (1972). All rules and regulations contained herein apply to all state officers and employees. The provisions governing meal expense reimbursement applies to officers and employees of all other political subdivisions of the state as well as state officers and employees.

11.2 Travel Management Program Requirements

The State Travel Office was established in the DFA, Office of Purchasing and Travel and Fleet Management, to administer the State Travel Management Program. The office monitors agency compliance and contractor performance and works with state departments, boards, commissions, and institutions to ensure the effective and efficient operation of the Travel Management Program. The State Travel Director serves as the liaison with these entities for the appropriate resolution of problems and complaints. Informational material concerning the travel management program is provided to department travel coordinators and employees.

These regulations establish a State Travel Management Program under the jurisdiction of DFA to help ensure the fairness and consistency in the application and administration of travel expense reimbursement and to reduce and control the state's costs related to all components of official state business travel.

An employee traveling on official state business is expected to exercise the same care incurring expenses, as would a prudent person traveling for personal reasons. Travel for business should be conducted at a minimum cost for achieving the success of the mission.

Travelers shall request air/rail, hotel, and rental car reservations as far in advance as possible from the state contract travel agencies and shall utilize the lowest logical rates available.

11.3 Official Duty Station

The official duty station or travel headquarters for all employees shall be the office to which they are assigned. For regional personnel, the travel headquarters should be the region office, sub-region office, WIC warehouse, or "headquarters" hospital

(Regional TB Nurses). For those regional employees who are assigned office space in county health departments, their official travel will originate and end at those offices.

11.4 Regular Place of Work

Regular place of work is any location at which the employee works or performs services on a regular basis. There may be more than one regular place of work as in the example given by IRS: A doctor going between his residence and one or more offices, clinics, or hospitals at which he works or performs services on a regular basis is defined as commuting. Employees will not be reimbursed for such expenses when traveling between home and any regular place of work.

11.5 Receipts

Refer to the specific areas within this section for details and exceptions concerning when receipts are required to be reimbursed for travel expenses. The procedures for recording and documenting expenses are also provided throughout this section. Generally, receipts are required for the following items:

- Meal expenses;
- Lodging;
- Transportation costs (taxis, buses, rental cars) in excess of $10.00;
- Parking expenses in excess of $10.00;
- Registration fees; and,
- Airline costs (in the instances that the ticket is not directly charged to the agency).

11.6 Travel Vouchers, MSDH Form 13.20.10 (version of DFA form 13.20.10)

General

1. In state and out-of-state travel cannot be submitted on the same expense voucher.
2. One state employee/officer cannot claim expenses for another state employee.
3. Expense vouchers should be typed or completed in ink and signed by the employee.

4. Necessary travel expenses do not include personal expense items such as entertainment and trip insurance. American Express provides $200,000.00 FREE life insurance with tickets issued to a state employee when charged to American Express' BTA.

Reimbursement for allowable expenses incurred while in official travel status will be requested by the use of a Travel Voucher (MSDH Form 13.20.10). A copy of the form and instructions for completion is provided on the MSDH Intranet forms page. Handwritten copies of travel vouchers may be submitted if they are prepared in ink and are legible. Illegible vouchers will be returned without processing**. Forms other than the most recent revision will be returned without being processed.**

Only actual expenses shall be claimed on the travel voucher. **Any claims above actual expenditures constitute fraud. In addition, any claim for reimbursement of an expense when the expense was actually paid by another constitutes fraud.** If the agency incurs travel expenses (registration fees, airfare, mileage, etc.) for an employee that in turn is directly reimbursed to the employee by another entity, the employee must reimburse the agency for the appropriate portion within 10 working days of receiving reimbursement from the other entity. Failure to do so constitutes fraud. Refer to Section 8.0 - Discipline & Grievance Policies of the *Mississippi State Department of Health Administrative Procedures Manual* for actions that will be taken when fraud of this nature occurs.

- Travel vouchers should be submitted monthly, but those totaling less than $20.00 may be carried over to the following month. Regional Administrators are requested to establish the first or fifteenth of each month as due dates for their employees. Half of the employees are to submit travel for a monthly period ending on the first of the month and the other half ending on the fifteenth. Year-end cutoff dates will not be affected by this procedure.

- Travel vouchers for June (end of fiscal year) and preceding months paid from a central office fund must be received in the Office of Finance and Accounts by July 15 of each year. The State Health Officer or their assignee must approve reimbursement of prior years.

- Travel vouchers will be reviewed and approved by the immediate supervisor of the traveler before submission for payment. Vouchers for employees budgeted in

county health departments shall be approved by the employee's immediate supervisor and the regional administrator. The regional administrator shall approve vouchers for

employees assigned to regional public health duties. In addition to approval by the regional administrator, travel vouchers for the regional health officer shall be approved by the Deputy Director.

Travel vouchers shall be examined prior to submission for mathematical correctness and accuracy of preparation. This examination should include ensuring the mileage claimed is reasonable based on a review of online mapping software. The person designated to make these examinations shall sign in the space "verified by."

11.7 Motor Vehicle Usage Policy

The MSDH provides state-owned vehicles for business use to allow employees to drive on MSDH/State of Mississippi designated business and/or it reimburses employees for business use of personal vehicles according to the guidelines below. The MSDH retains the right to amend or terminate this policy at any time. (*The term "vehicle," as used in these guidelines, includes cars, trucks, vans, RVs, or other motor vehicles lawfully operated on public roads and highways.*)

- Employees may not drive any state-owned vehicles without prior approval of their supervisor. Periodically, before approving a driver, each supervisor should verify the existence of a valid driver's license. Employees approved to drive on MSDH business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.
- Employees holding jobs requiring regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy <u>at all times</u>. For all other jobs, driving is considered only an incidental function of the position.
- MSDH vehicles may be maintained in a motor pool for use by individual employees, as needed.
- Employees who need transportation in the course of their normal work may be assigned a MSDH vehicle for their use. All other employees needing transportation for MSDH business may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no MSDH vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
- Employees who drive a vehicle on MSDH business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. <u>Employees are also responsible for any driving</u> <u>infractions or fines as a result of their driving</u>.
- Nonemployees and nonbusiness passengers (i.e., family and friends) are prohibited from riding in MSDH vehicles.

- Employees who use their personal vehicles for approved business purposes will receive a mileage allowance equal to the Mississippi Department of Finance and Administration's optional mileage allowance for such usage. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. Employees who operate personal vehicles for MSDH business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for business use, when necessary as determined by their personal insurance agent.
- Employees must report any accident, theft, or malicious damage involving a MSDH vehicle to their supervisor, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 24 hours after the incident or the next business workday. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.
- Employees who are on call on a 24-hour basis may be allowed to take a MSDH vehicle home so they can respond to emergencies as soon as possible. Such employees need to provide a written acknowledgment that they fully understand that the vehicle is used only as part of emergency response and not for personal use.
- All employees operating a state-owned, rented or personal vehicle on a routine basis to perform essential function of their job must sign an Acknowledgement of Motor Vehicle Driver's Obligations (Form #110) that details excerpts of this policy and outlines personal insurance coverage responsibilities.

Safety Issues

Operation of any agency vehicle or personal vehicles used for agency-related business in a reckless and unsafe manner could result in possible disciplinary action being taken, and that disciplinary action may include, but not be limited to, the issuance of a written reprimand/warning; suspension from employment without pay for a specified time; demotion, and/or termination of employment.

Personal Impairment - Employees are not permitted, under any circumstances, to operate a MSDH vehicle, rented or a personal vehicle used for MSDH business when any physical or mental impairment causes the employee to be unable to drive safely. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.

Alcohol and Drug Use - No alcoholic beverages, prescription drugs that could impair someone's driving ability, illegal drugs, or controlled substances are to be used or consumed by the driver and/or passenger(s) of a state-owned, leased, or rented vehicles, including personal vehicles while being used on agency business. (Ref: MSDH Administrative Manual, Section 5.0, Drug and Alcohol Policy)

Seat Belt Use - Use of seat belts is required for all persons occupying the vehicle. It is the driver's responsibility to ensure that all persons are properly secured before the vehicle is put into motion.

Handheld Devices - All employees are required to adhere to all laws related to the use of handheld cell phone or similar handheld device while driving state-owned vehicles, rental vehicle or while driving a personal vehicle on official agency business (i.e., when mileage is reimbursable). Accepted public health policy directs that drivers should not use handheld devices of any kind while operating a moving vehicle. This includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose. If an employee must make or receive an emergency call via a handheld telephone or similar device, the vehicle should first be stopped and parked in a safe location.

Tobacco Use – Tobacco use (including cigarettes, cigars, pipes, and smokeless tobacco) shall not be permitted inside any vehicle owned or operated by MSDH. *(Ref: MSDH General Agency Manual, Section 2.0, Tobacco Use in MSDH Facilities.)*

Firearms - Firearms are not permitted in any vehicle used for MSDH business whether state- owned, leased, or rented vehicles.

Hazardous Materials - Hazardous materials should not be transported in state-owned, leased, or rented vehicles unless approved by the State Health Officer or his/her designee.

Traffic Laws - Drivers are required to obey all state and federal traffic laws pertaining to the safe operation of a vehicle. The driver is personally liable for any fines, traffic, or parking violations received.

Driver Training - Drivers may be required to successfully complete defensive driving or other driver safety training as a condition of their continued authorization to drive for agency related business. Failure to successfully comply could be grounds for disciplinary action, up to and including employment termination.

11.8 Accidents and Injuries

Should an employee be involved in an accident while on state business, which may or may not involve a state vehicle, the following steps should be followed:

- Call an ambulance if anyone is injured.

- Immediately notify the City Police, Sheriff's Office, or Highway Safety Patrol, whichever is applicable.

- Do not move either vehicle until one of the above officers advises to do so.

- Exchange name, address, license number, auto tag number, and name of insurance company with the other party. The proof of insurance number that should be entered on the police report is 11-46-15.

- Report tort claim information to your immediate supervisor and to the Office of Health Administration.

- Complete a State of Mississippi Liability Claim Reporting Form, available online at http://www.dfa.ms.gov/media/1453/liability-claim-rptg-form.pdf (accessed 9-11-18)

- Do not make any statement of guilt to the injured party.

- Notify your insurance agent as soon as possible.

- MSDH will have three (3) estimates of repair on the state-owned vehicle and will have the authorization obtained in order for repairs to be made.

- If the other party is definitely at fault, MSDH will make every effort to have that party's insurance company pay for the repair to the state-owned vehicle. Keep your supervisor and the Office of Health Administration informed during all phases of the process.

11.9 In-State Travel

Section 25-1-83 of the Mississippi Code requires prior written approval from the employee's responsible MSDH Office Director for attendance at any conference, seminar or workshop. **Requests for in-state travel to such must be submitted using the Travel Authorization (MSDH Form 13.20.20). The form must be approved by the responsible Office Director. The original Travel Authorization (MSDH Form 13.20.20) must be submitted to MSDH Office of Finance and Accounts.**

In-State Daily Meal Rates

Agency officers and employees of the Mississippi State Department of Health (MSDH) shall be reimbursed for the actual cost of meals not to exceed the daily maximum established by the Mississippi Department of Finance & Administration (DFA).

NOTE: Reimbursement of meals for one-day travel is not allowed. Reimbursement for meals when no overnight travel occurs is considered as taxable income under the Internal Revenue Service's code.

In-State Individual Meal Limits

Based on the Federal Register Maximum Per Diem Rate, individual meal limits are imposed for in-state meals. Actual meal costs must be claimed on travel expense vouchers for reimbursement. **Receipts are required in order to be reimbursed for meal expenses claimed on the travel voucher.**

The maximum state reimbursement amount is $41/day unless travelling to a high-cost area. A list of the maximum state reimbursement rates for high cost areas can be found at http://www.dfa.ms.gov/media/7320/2018-2019-converted-rates.pdf (accessed 12/19/18)

	In-State Regular	In-State High Cost Areas	
Breakfast	$ 7.00	$ 8.00	$ 9.00
Lunch	$11.00	$12.00	$13.00
Dinner	$23.00	$26.00	$29.00
Daily Meal Total	$41.00	$46.00	$51.00

If, in connection with overnight travel, an employee leaves home before 6:00 a.m. or returns home after 8:00 p.m., the employee will be allowed to claim reimbursement for breakfast or dinner respectively. These times must be documented on the expense voucher and approved by the employee's supervisor.

Meal tips should be included in the actual meal expense unless the inclusion of tips would cause the meals to exceed the maximum daily limitations placed on meals by the DFA. If the daily limitation would be exceeded, then the employee is allowed to record meals tips for each day under other authorized business expenses. TOTAL MEAL TIPS SHALL NOT EXCEED **20%** OF THE MAXIMUM DAILY MEAL REIMBURSEMENT CLAIMED.

In-State Lodging

- The State Travel Office maintains an updated agreement with various Mississippi hotels for the state employee rates for official business travel. A listing of hotels and motels which have offered the State of Mississippi discount rates to assist in hotel selection may be found on the DFA – Office of Purchasing and Travel website at:

http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/bureau-of-purchasing-and-

contracting/negotiated-contracts/g-h-i/hotel-motel-services/ (accessed 11/29/18)

These rates include tax. If the rates on this list are not honored, contact the Office of Finance and Accounts. It is not mandatory that employees stay only at these hotels.

Contract hotel rates inside Mississippi will be allowed to float with the Federal Register hotel limit. The Federal Register can be found here:

https://www.gsa.gov/travel/plan-book/per-diem-rates (accessed 11/28/18)

- Most hotels require cancellation of room reservations at least 72 hours prior to a scheduled check-in. Otherwise, the first night will be charged to the guaranteeing credit card.

  If no acceptable hotel is available at the work destination, the supervisor may approve travel to the nearest town where acceptable accommodations are available. If the nearest town is out-of-state, no out-of-state travel form will be required; however, approval must be obtained from the Chief Financial Officer. An employee may elect to stay overnight with friends or relatives within a 30 to 40-mile radius of the worksite. Such lodging is not a reimbursable expense; however, travel to and from the lodging site and the work site in lieu of a hotel expense shall be allowable. (The reimbursement amount may not exceed $20.00 for travel both ways.)

11.10 Private Automobile Travel

Actual mileage shall be calculated from the official duty station and back or actual miles traveled, whichever is less. **The most direct (shortest) route to a destination should be claimed for reimbursement purposes**. Reimbursement rates can be found at:

http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/bureau-of-purchasing-and-contracting/travel/ (accessed 1/18/19)

A state owned vehicle may be utilized when two or more employees are required to travel together for official business. Central Office supervisor approval of an employee voucher will also serve as certification when no state-owned vehicle was available for business travel.

The Trip Optimizer System developed and administered by the Department of Finance and Administration, Office of Purchasing, Travel and Fleet Management, shall be used in computing the optimum method and cost for travel by state officers and employees using a motor vehicle where the travel will exceed one hundred (100)

miles per day and the officer or employee is not driving a state-owned or state-leased vehicle that has been designated or assigned to the officer or employee.

The maximum authorized amount of travel reimbursement related to motor vehicle usage shall be the lowest cost option as determined by the Trip Optimizer System. All travel claims submitted for reimbursements shall include the results of the Trip Optimizer System indicating the lowest cost option for travel.

The Trip Optimizer System calculation must be performed prior to traveling. In the event any variable values differ from those estimated prior to travel, a second calculation must be performed and attached to the Travel Voucher along with the original calculation to substantial any request for an increase in allowable reimbursements.

Emergency situations may arise resulting in the inability to perform the calculation prior to travel. In such situations, a written justification signed by the agency head must be attached to the Travel Voucher instead of the Trip Optimizer System calculation.

More information can be accessed at

http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/bureau-of-purchasing-and-contracting/travel/ (accessed 1/18/19)

11.11 State Owned Vehicles

MSDH has state-owned vehicles which may be utilized when two or more employees are required to travel together on official business. Meals and lodging will be reimbursed as regular travel expense if overnight lodging is required. The cost of operation of the state-owned vehicle will be charged to the employee's regular travel budget.

For complete policy concerning private automobile and state-owned vehicles, refer to the section on Travel Reimbursement in this policy.

11.12 Out-of-State Travel

Out-of-State Travel Vouchers

Out-of-state travel expenses incurred by employees of the Mississippi State Department of Health (MSDH) must be recorded on the Travel Voucher (MSDH Form 13.20.10). The Travel Voucher must be accompanied by all original receipts, a Travel

Authorization, (MSDH Form 13.20.20), and confirmation(s) from the State Travel Agent. The form must be approved by the responsible Office Director. The original request must be submitted to MSDH Office of Finance and Accounts.

Prior Approval

Section 25-1-83 of the Mississippi Code requires prior written approval from the employee's responsible MSDH Office Director for all out-of-state travel. Requests for out-of-state travel (e.g., conventions, seminars, conferences) must be submitted using the Travel Authorization. The form must be approved by the responsible Office Director and the original must be submitted to MSDH Office of Finance and Accounts. While reduced rate airfares are encouraged whenever available, nonrefundable arrangements should not be made until the required approvals are obtained. **Any expenses including nonrefundable airfares, incurred in violation of the prior approval requirements, will be the obligation of the employee, not the agency. Similarly, expenses incurred as a result of cancellation of previously approved travel will be the employee's responsibility unless just cause for the cancellation can be presented.**

Any out-of-state travel request involving two or more employees attending the same meeting or conference should be requested in memo form for approval prior to submission of the Travel Authorization (MSDH Form 13.20.20). The memorandum should be sent to the State Health Officer and contain a description of the planned travel including the dates, location, the individuals to attend, cost for each individual, and justification of the need for more than one individual to attend. If approved, Travel Authorization (MSDH Form 13.20.20) should be submitted in a batched manner with a copy of the approval memo attached.

Travel Advances (Out-of-State Only)

If the employee would like to receive a travel advance for out-of-state travel, he or she must indicate the amount requested on the Travel Authorization (MSDH Form 13.20.20) and obtain required approval. **The State Health Officer's approval and signature is needed for all requests for travel advances. NOTE: ALL TRAVEL ADVANCES MUST HAVE REQUIRED SIGNATURES BEFORE BEING PROCESSED.**

The approved travel advance forms must be in the Office of Finance and Accounts at least three weeks prior to departure in order to ensure receipt of an advance. Advances are made to cover meals, hotel, and other related travel costs**. Advances will not exceed the estimated expenses to be borne directly by the employee. The advance should not normally include the cost of an airline ticket, as MSDH can pay it in advance**. Airline tickets purchased through the state agent should be billed directly to MSDH and

not to the employee. Reimbursement shall not exceed the commercial airline tourist rate or, when available, the state contract rate.

An employee will be allowed only one outstanding travel advance at a time. No additional advance will be given until the previous advance has been cleared. MSDH will not process additional travel vouchers for employees who have outstanding travel advances**. If an advance is not settled within 10 working days after the end of the month in which travel was completed, the employee's paycheck *WILL* be held until the debt to the state is resolved**.

The Mississippi Department of Finance & Administration (DFA) has the authority to withhold payment of further claims for expense reimbursement, if any advance has not been settled (Section 25-1-81, Mississippi Code of 1972).

Meals

Employees will be reimbursed for the actual cost of meals not to exceed the daily maximum established by DFA. **However, in no instance will meal reimbursement be allowed for travel not involving an overnight stay.**

Meals which are included as part of a conference registration fee shall not be reimbursed separately on the employee's travel voucher. If the employee, for whatever reason, chooses not to attend the meal, he or she shall not be entitled to any reimbursement for the cost of the meal.

The high cost areas have been set by DFA to include those cities designated in the Federal Register as having a prescribed maximum per diem daily rate of $150.00 or higher. **A list of these is provided in the *State Travel Policy Rules & Regulations* at:** https://www.gsa.gov/travel/plan-book/per-diem-rates (accessed 9/11/18)

Based on the Federal Register Maximum Per Diem Rate individual meal limits are imposed for each cost area. Actual meal costs must be claimed on travel expense vouchers for reimbursement. **Receipts are required in order to be reimbursed for meal expenses claimed on the travel voucher.**

	Out-of-State Regular	Out-of-State High Cost Areas		
Breakfast	$ 7.00	$ 8.00	$ 9.00	$10.00
Lunch	$11.00	$12.00	$13.00	$15.00
Dinner	$23.00	$26.00	$29.00	$31.00
Daily Meal Total	$41.00	$46.00	$51.00	$56.00

A table listing high cost areas for each state may be found here:

http://www.dfa.ms.gov/media/7320/2018-2019-converted-rates.pdf (accessed 11/30/18)

If, in connection with overnight travel, an employee leaves home before 6 a.m. or returns home after 8 p.m., the employee will be allowed to claim reimbursement for breakfast or dinner respectively. These times must be documented on the expense voucher and approved by the supervisor. For each full day the employee is in overnight travel status, reimbursement may be claimed for all three meals. Meal tips should be included in the actual meal expense unless the inclusion of the tips would cause the meals to exceed the maximum daily limitations placed on meals by the DFA. If the daily limitation would be exceeded, then the employee is allowed to record meal tips for each day under other authorized business expenses. TOTAL MEAL TIPS SHALL NOT EXCEED 20% OF THE MAXIMUM DAILY MEAL REIMBURSEMENT CLAIMED.

Lodging

Lodging expenses will vary with the area traveled but all expenditures must be necessary and reasonable. All reservations should be guaranteed at the time they are made, especially if air travel is involved. If the room was not guaranteed and the employee arrives late to find his or her room unavailable, MSDH shall not be responsible for reimbursing the employee for a higher room rate. If the employee chooses to return without accomplishing the travel objectives, MSDH reserves the right to withhold all reimbursements associated with the trip.

The agency may reimburse employees for an extra night's lodging (and meals) if there is a cost savings by taking advantage of special airfare rates. For further details on reimbursable lodging expense, see the section on Travel Reimbursement in this policy.

All reimbursable expenses for lodging should be billed to the employee and not to MSDH. Lodging expenses will not be reimbursable without an itemized receipt, which is marked paid, shows a zero balance, or is a credit charge receipt. Only standard single room rates are allowable. If the employee utilizes or requires a rate other than the single occupancy rate, the hotel must certify the current rate for a single unit on the paid receipt.

Travel by Public Carrier

Section 25-3-41 of the Mississippi Code allows city and county officers and employees to utilize the State of Mississippi Travel Agency Contracts administered by the Office of Purchasing and Travel. In addition, this bill allows state agency employees to make reservations for all travel arrangements, either through one of the State Contract Travel Agencies or by other methods. The amount paid for airline transportation for any state officer or employee, whether the travel was arranged by a State Contract Travel Agency or otherwise, shall not exceed the amount specified in the state contract established by the DFA, Office of Purchasing and Travel, unless prior approval is obtained from the Office of Purchasing and Travel.

Out-of-state travel by airlines will be at the state contract rate, if applicable or at coach rate if no contract rate applies. Refer to the State Travel Policy Rules & Regulations or access the attached website for a complete listing of contract rates.

http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/bureau-of-purchasing-and-contracting/travel/ (accessed 1/18/19)

Upon approval of the Travel Authorization, employees may purchase airline tickets from other sources if the airfare rate is lower than the airfare rate offered by the contract travel agents. A copy of the airfare payment and itinerary should be submitted with the employee's Travel Voucher.

Travel In Privately–Owned Vehicle

Reimbursement for the use of a personal automobile or other private motor vehicle for official state business will be set at the same rate that the federal employees are reimbursed for using private vehicles for official federal business travel. Reimbursement rates can be found here:

http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/bureau-of-purchasing-and-contracting/travel/ (accessed 1/18/19)

A state-owned vehicle may be utilized when two or more employees are required to travel together on official business. Central office supervisor approval of employee voucher will also serve as certification that no state-owned vehicle was available for business travel.

When two or more employees travel in one privately-owned vehicle, only one travel expense at the authorized reimbursement rate per mile shall be allowed. The name of the passenger should be noted on the driver's travel voucher. If subsistence is claimed while traveling with another person in a privately-owned automobile or when traveling in a

state-owned vehicle, entries shall be made on the employee travel voucher and a statement made giving the name of the person in whose car the trip was made or which state vehicle was utilized.

If travel costs are paid to an employee by another agency, the employee is responsible for filing and collecting the reimbursement. Travel Authorization is required regardless of who pays for the travel.

See additional information required under section 11.10 regarding the Trip Optimizer System.

11.13 International Travel

All travel outside the continental limits of the United States (Canada, Hawaii, Puerto Rico, and Mexico) must be approved by the Mississippi Department of Finance and Administration (DFA) prior to departure. A signed and approved Travel Authorization, (MSDH Form 13.20.20) when any associated reimbursement or payment is requested. **The State Health Officer's approval and signature is needed for all requests for international travel.** A copy of the signed and approved form shall be used to request a travel advance if one is required. If actual expenses exceed the estimated expenses shown on the Travel Authorization, the original form shall be resubmitted showing the excess charges and again approved by the DFA. (Note: Travel to Alaska is considered within the continental limits of the United States.)

DFA will return the form indicating if the international travel is approved or denied. The form is required for recording travel expenses and receiving reimbursement as detailed below.

11.14 Travel Arrangements

A state contract travel agency may arrange for international travel, including lodging and car rental services. They will also provide information on inoculation requirements, if any, and assistance in obtaining passports and visas, when needed. Voluntary or involuntary changes after departure from the continental United States will be made independently by the traveler.

11.15 International Travel Vouchers

The travel voucher should be completed as detailed in the Out-of-State Travel section and submitted when the employee returns from the international trip. In addition, the actual expenses must be recorded on the original Travel Authorization (MSDH Form 13.20.20). If the expenditures exceed the estimated cost, reimbursement for the additional costs will not occur until supplemental approval is granted from all officials

approving the original travel request. In order to obtain supplemental approval, a letter of justification must accompany the Travel Voucher and the completed Travel Authorization (MSDH Form 13.20.20).

11.16 Annual Meetings of Professional Organizations

General

The Mississippi State Department of Health will establish special agency regulations for employees attending annual meetings of professional organizations which include a significant number of agency employees. In order to be eligible for this type of travel, the employee must be an active member of the organization. Employees must submit a request for attendance to their Office Director. Granting the request will be at the discretion of the Office Director based on workload, clinic schedule, etc. **NOTE: THE** Office Director **OF EACH DEPARTMENT WILL LIMIT THE NUMBER OF EMPLOYEES ATTENDING ANNUAL MEETINGS.**

11.17 Travel Reimbursement

General

Allowable and disallowable travel reimbursements are described below by type of expenditure. Lodging and meal reimbursements are detailed within the appropriate subsections of the travel policies (for example, in-state meal limits are provided in the in- state subsection). Special regulations and allowances may be established for large group meetings. In no instance will state regulations or reimbursement rates be exceeded.

Lodging

Reimbursement for lodging expenses will be for the actual amount paid when supported by a paid receipt. The agency may reimburse employees for an extra night's lodging (and meals) if there is a cost savings by taking advantage of special airfare rates or the extra cost is incurred by circumstances beyond the control of the employee, (examples, cancelled or delayed flights). For further details on reimbursable lodging expense, see Section 11.1. Reasonable charges will be allowed for baggage handling without a receipt. Reasonable is usually defined as $1 per bag for each level of handling.

Reimbursement for overnight lodging will be made when travel circumstances prevent departure and return travel in one day. Generally, any time the employee must travel a distance greater than 50 miles one-way, he or she would be eligible for overnight lodging. In isolated instances, a waiver on this policy is granted where a meeting is being

held in hotels/motels that charge rates for a particular meeting in excess of the maximum rates. In these instances, prior approval must be received from the area's Office Director.

Lodging expenses will not be reimbursable without an itemized receipt which is marked paid, shows a zero balance, or is a credit charge receipt. Only standard single room rates are allowable. If the employee utilizes or requires a rate other than the single occupancy rate, the hotel must certify the current rate for a single unit on the paid receipt.

Employees in an overnight travel status will be reimbursed for meals, lodging and other authorized expenses incurred in the course of official travel. Reimbursement for meals and lodging will not exceed rates established by the Mississippi State Department of Health (MSDH) and the Mississippi Department of Finance and Administration.

Travel in Privately–Owned Vehicle

No vicinity travel will be reimbursed for traveling from the place of lodging to restaurants for meals. Since it is assumed that most hotels/motels have convenient dining facilities, driving to other locations for dining is optional and the employee should pay the cost. The State Health Officer must approve the use of multiple vehicles for travel to the same conference or destination.

When out-of-state travel is by private automobile, the total travel expenses reimbursed shall not exceed the cost of the lowest unrestricted airfare. For the purpose of determining reimbursable driving expenses for travel destinations, which have air service, the "total cost of driving" plus meals and lodging expenses enroute and car parking or storage at the destination, must be compared with "total cost of flying." The State Health Officer, who will determine if it is a cost savings to the agency to drive than fly, must approve a complete written justification. The justification along with the cost comparison shall be attached to your out-of-state Travel Authorization (MSDH Form 13.20.20). If the employee chooses to drive and expenses exceed the cost of the lowest unrestricted airfare, reimbursement will be limited to the cost of flying.

It is considered self-evident that driving is cheaper than flying to/from New Orleans, Memphis, Mobile, and Birmingham, therefore, no cost comparison is required for driving to these locations.

See additional information required under section 11.10 regarding the Trip Optimizer System.

Travel in State-Owned Vehicle

The MSDH provides vehicles through the motor pool for use by agency employees on official business. These vehicles may be made available to employees for an out-of-town business trip, under prescribed circumstances. State vehicles are not to be used for all out-of- town travel. Generally, employees who routinely travel as part of their duties are expected to furnish their own transportation for normal travel requirements.

Usage

A State-Owned Vehicle:

- may be used for in-town travel by all registered agency employees to conduct official business for the agency, depending upon vehicle availability. Such usage shall be properly logged on the forms provided by the custodian.

- may not be taken home overnight by an employee. All departures and returns will be made at the MSDH complex. Any exception must have prior approval of the State Health Officer or designee.

- will be prioritized to accommodate group travel in order to reduce travel costs; however, compliance with all other applicable regulations will be required.

- should be reserved at least 24 hours in advance for out-of-town travel.
- will be loaned on a first come, first serve basis. Standing reservations will not be allowed.

- must be operated by an employee with a valid operator's license who is registered with Health Administration.

- will be loaned upon the completion of a trip ticket completed by the vehicle user on any out-of-town trips. This trip ticket will be furnished by the custodian when the keys are picked up.

- should always be returned in the same condition as it was prior to travel. The gas tank should be filled, the interior should be free from all trash, and ashtrays should be emptied. **Smoking in MSDH vehicles is prohibited.**

- will not be routinely used for transportation to and from private residences and the office. If the employee must travel any earlier than he or she would normally be leaving for work, it is permissible for the state vehicle to be driven home that night. This also applies if the employee returns from his or her travel after the office's close of business.

- will be turned back in to the custodian, including completed trip ticket, credit cards, gas tickets (if credit card is not used), and keys.

When it is apparent that repairs, tires, or batteries are needed, the operator must initiate a request to the Director of Facilities/Property. The Director of Facilities/Property will approve a request and submit it to Health Administration for authorization. With the exception of extreme emergency, no repairs or purchases will be made without prior written approval. In **NO** circumstance shall repairs or purchases be made without prior verbal approval.

Other Expenses

Charges for transportation, such as airfare, buses, limousines, taxis, etc., shall be allowed while traveling on official business. Receipts should be obtained for these items. Justification will be needed for the use of a taxi in lieu of shuttle service from the airport to the hotel and back. These expenses must be coded as Other Travel Cost on the travel voucher.

Claims for reimbursement of internets, fax, local or long distance telephone calls must be justified. Business telephone calls require a receipt for reimbursements to occur. If the telephone charge is reflected on the hotel bill, no other receipt will be necessary. The charge must be circled and the nature of the call must be indicated. Personal calls are not reimbursable expenses.

Registration fees for conferences, seminars, etc., are allowable expenses. The employee may be reimbursed for the expense provided he or she has prior approval and a receipt accompanies the travel voucher.

Non-Agency Employee Travel

The established ceilings on meals and lodging, both in state and out-of-state, apply to both contractual personnel and employees who are on contracts between MSDH and another agency (example: employees hired on a UMC contract negotiated with MSDH). Contracts for reimbursement will be limited to these ceiling amounts and the contracts issued will reflect these rates.

If an employee on official state business should be accompanied by other persons who are not agency employees, the employee must claim no more than his or her proportionate share of the charges (motel, hotel, taxi, limousine, etc.), which must be written across the face of the receipt.

Weekend Travel

If an employee on official business is required to stay in an area over a weekend, lodging and meals at the established rates may be permitted.

Travel Reimbursement during a Disaster/Emergency

Employees responding to a disaster/emergency on approved deployment orders will be provided food when available before deployment or through MSDH or other government feeding locations. In the event that food is not available before deployment and/or a MSDH or other government feeding location has not been established in the vicinity of the deployment, non-taxable meals are allowable for reimbursement. Non-taxable meals are allowable only if authorized by the MSDH Logistics Center's Deployment Desk on the deployment order. The MSDH Logistics Center's Deployment Desk may allow non-taxable meals only if:

- Food was not provided to the employee prior to deployment
- There is not a MSDH or other government feeding location near the employee's deployment site
- The employee has either:
  a. stayed away from the employee's principal place of business overnight or,
  b. does not have an overnight billet but has been on duty for more than 12 hours. The location of the work assignment determines the maximum meal reimbursement rate.

The approved deployment order must be submitted with the employee's travel voucher for reimbursement, and the employee's travel voucher must be approved by the designated Emergency Coordinating Officer.

At no time will mileage be reimbursed for employees traveling to their official home base/station even if the emergency/disaster falls on a weekend or holiday.

Job Interviews

The agency will not reimburse individuals for travel expenses incurred for job interviews.

American Express Corporate Cards

MSDH has elected to take advantage of the agreement entered into by the state and American Express. Corporate travel accounts may be established for agency employees who travel on a regular basis. These cards are issued to the individual employee for use while traveling on state business and it is the individual's responsibility, not the state's, to ensure the account is paid. In order to apply for an American Express Corporate Card through MSDH, contact Finance & Accounts.

NOTE: Employees who choose to pay travel reservation charges by American Express or other personal credit cards will not be reimbursed for such charges until after the travel is actually performed. Reimbursement of credit card travel charges will be made using standard travel vouchers with the original invoice from the state contract travel agent, along with the passenger's coupon of the airline ticket (this is the portion remaining after the flight coupons have been used.)

The American Express Corporate Card is for the express purpose of business travel and is not a credit card offered by the state for personal use.

Vendor Benefits for Travelers

- Several companies offer benefits to frequent travelers. These benefits, which are normally awarded on a point system, include free or reduced airplane tickets or hotel rooms. It is a policy of the State (per the Mississippi Department of Finance and Administration's Travel Management Program) that any and all points earned as a result of official state business can only be used toward free or reduced prices while traveling on official state business.

- MSDH may utilize points earned by one employee for another employee who will be traveling. The employee earning such points shall be required to apply for the bonus and give the discount to the Director of Health Administration. There is no prohibition on earning the points and participating in any of the programs offered by these companies providing these guidelines are utilized.

ANY TRAVEL NOT SPECIFICALLY ADDRESSED IN THE MISSISSIPPI STATE DEPARTMENT OF HEALTH'S ADMINISTRATIVE MANUAL WILL BE GOVERNED BY THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION POLICY, IF SUCH A POLICY EXISTS.

SEE WEBSITE BELOW FOR THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION'S COMPLETE TRAVEL POLICIES:

http://www.dfa.ms.gov/dfa-offices/purchasing-travel-and-fleet-management/bureau-of-purchasing-and-contracting/travel/ (accessed 1/18/19)

12.1 General

The Department's mailroom is responsible for handling all of the mailing needs of the agency, both incoming and outgoing.

Each morning at 7:00 a.m., mail for the Department is picked up at the post office and delivered to the mailroom where it is sorted by office. The courier service utilized by the Department also delivers its mail to the mailroom by 7:00 a.m. The mailroom supervisor then writes up the "accountables" (certified, registered, or express mail) in a manually maintained receipt log. Mailroom personnel sign for this mail at the post office, but will also have the individual to whom it is addressed sign for it when it is delivered.

Courier services such as FedEx, UPS, etc. deliver overnight mail and packages. These items are signed for at the mailroom. Logs are set to receive a signature from the recipients of these items.

Mail is delivered by mailroom personnel to the offices of the Department of Health, including outlying offices throughout the city. For those offices located elsewhere in the city, a state-owned van is used to deliver the mail. For the offices located in the Department complex, mail is delivered once each morning and once each afternoon.

At 10:30 in the morning and again in early afternoon, the Support Services Division, Department of Health Administration, picks up the hand-mail. Hand-mail includes any correspondence to be delivered to another state agency located in Jackson. At this same time, any incoming correspondence handled by the Support Services Division is delivered.

All outgoing correspondence is picked up twice in the morning and twice in the afternoon for offices located in the Department complex. Each office should have separate trays or lines labeled postal, inner officer, courier, and hand mail to assist the mailroom personnel in properly identifying the type of mail and its appropriate method of handling. For the outlying offices served by the van, pick up is accomplished at the same time the incoming mail is delivered. When the mail is picked up, it is taken to the mailroom and run through the postage meter. The postage meter has a computerized accounting system that maintains a record of the billings and prints out a monthly report for submission to the Office of Finance and Accounts for charging out the amount used to the individual budgets.

All correspondence to be delivered to county health departments and their branches, district offices, and home health agencies affiliated with the Department of Health will be picked up by the courier service at 5:00 p.m. The service will deliver and pick up correspondence throughout the state and return to the Department's mailroom by 7:00 a.m. the next morning.

The mailroom maintains a log for outgoing certified mail. Each day at 4:00 p.m., the log and all

certified letters are taken to the post office where the log is dated and receipt stamped.

The Department assumes no responsibility for receiving or distributing personal mail to employees. Department stationary, envelopes, and postage are to be used solely for conducting official business and should never be used for personal matters.

NOTE: Any special mailing requirements need to be coordinated with the mailroom in advance of the mailing date (Example: grants, contracts, cooperative agreements, or mass mailings).

The Mississippi State Department of Health Print Shop is a service unit that provides printing and print-related services for all programs of the Department. This includes printed forms, publications, newsletters, booklets, brochures, file cards, dry labels, letterhead, certificates, and other printed material. The Print Shop is located on Lawson Street in Jackson and is a unit of Facilities and Support Services.

13.1 Printing Services

The Print Shop utilizes bond, parchment, carbonless, index, offset and other common papers in white and most available colors and finishes for printing jobs. Most printing requests require the purchase of paper. That *Purchase Request* will be routed through the Purchasing Office by Print Shop personnel for prior approval before the paper is ordered. Most requests for printed envelopes are also routed by the Print Shop to the Purchasing Office that in turn orders envelopes pre-printed from state contract envelope vendors. The Print Shop will determine which orders must be routed to the Purchasing Office.

Sizing of printed material is limited to 3½" x 5" up to 17" x 22". Paper weights may be between 15 lb. carbonless to 140 lb. tag. The Print Shop also provides paper cutting, hole punching, collating, making forms into pads, perforating, and some bookbinding.

The Print Shop will not be able to handle the following items:

- Requests for less than 200 copies of each original;
- Numbering of forms or materials;
- Multiple perforation (more than one line of perforation on the same sheet);
- Quick print type printing;
- Continuous (computer) forms;
- Printing jobs requiring color separations;
- Personalized materials (i.e., notepads with individual's name); and,
- Printing requests from other state agencies, organizations, or individuals.

The Print Shop additionally does not provide printing services for individual county office requirements, such as letterhead, labels, etc. Other jobs may be identified in the future, which the Print Shop will not be able to handle. If this is the case, they will be communicated to each office.

13.2 Procedures for Printing

In order to request the services of the Print Shop, a *Printing Request* (Form 680) must be completed and attached to the materials to be printed. This form details the number of copies

needed, the destination of printed material, paper, size, etc. In addition, all requests requiring the purchase of paper must include a *Purchase Request* (Form 50).

Once the request has been printed, the printed material is routed to the requested destination. The Print Shop does not provide pick up or delivery service. Form 680 can be found in the MSDH Forms Manual.

14.1 Responsibilities

The Central Supply Warehouse of the Department of Health, located on Lawson Street, is responsible for maintaining a sufficient supply of several categories of items routinely used by the agency. These categories include clinical supplies, office supplies, forms and records, and education materials. The Central Supply Warehouse ships Water Supply and Radiological Health water sample bottles and boxes for testing water coordinated through their departments to all the water systems in the state.

14.2 Procedure to Order Supplies

To order supplies from the Central Supply Warehouse, a designated employee must complete a *Supply Order* (Form 54) that indicates the item identification number, description, and quantity desired. A separate *Supply Order* must be completed for each category of items ordered. An authorized person within the unit requesting the supplies must sign the completed form. The white and yellow copies of the form are submitted to Central Supply and the requesting unit retains the pink copy. Form 54 can be found in the MSDH Forms Manual.

14.3 Orders Filled and Shipments Made

Supply orders are filled and Central Supply staff makes shipments as expeditiously as possible. The yellow copy of the *Supply Order* is returned with the shipment so that the requesting unit may note any difference(s) in quantity ordered and quantity shipped. Orders are delivered by an agency van to inter-city units, and by courier service to district offices, county health departments and other designated locations.

14.4 Inventory

The Central Supply Warehouse maintains a computerized inventory of items stocked. This provides the necessary information to enable the Warehouse Manager to maintain stock levels required to meet the needs of the agency units. Additionally, various use reports and cost reports are produced for use by agency administration in evaluating the overall operation of the warehouse.

15.1 General

In order to comply with federal mandates and to provide program management information, the agency designed a system of collecting and analyzing data on the programs and activities for which employee time is spent. This process, known as the Time Study System, is utilized to justify and allocate federal and state funds, along with providing information for management decisions, agency planning, and projections for funding and budgeting.

Agency employees who are not exempted from the Time Study System (see Exceptions to the Time Study System) are required to complete a Time Study report covering one full workweek each month. The workweek must begin on Monday and cannot contain a major holiday for which the entire agency is closed. Additionally, the workweek cannot be the same week of each month. In order to ensure that these requirements are met, the Office of Health Informatics predetermines the weeks to be monitored at the beginning of each fiscal year. This yearly Time Study reporting schedule is transmitted each July.

15.2 Exceptions to the Time Study System

Individuals in the following organizational codes are currently exempt from completing the time reporting forms since their time is accounted for automatically within the Time Study System: organizational codes 0001 thru 0006, 0008, 0101 thru 0105, 0109, certain PINs in 0138, 0202, 0204, selected PINs in 0301, 0351 thru 0352, 0354 thru 0360, and 0401. Additionally, WIC warehouse staff are exempt from Time Study since their time is always expended in the WIC program and can be accounted for accordingly.

Contractors who are not performing functions similar to agency employees, such as security, janitorial, equipment maintenance staffs, etc. are exempt from the time reporting system.

The State Public Health Laboratory employees are required to complete a Time Study report each week.

15.3 Time Study Reporting

Each user will follow a provided link on the MSDH Intranet for Time Study. Employees will log into the site using the routine agency log in process as recorded in Active Directory accounts. The user will choose either the regular time study or the lab time study. Position Identification Numbers (PIN), and Personal Identification Numbers (PID) are prepopulated in the system. Recent personnel actions, such as employee terminations or newly hired employees, may not be reflected in the computer files immediately.

The Time Study system was designed to record daily time spent performing specific activities within a program. This process was designed to assure data integrity; therefore, it is important that the program and activity codes are correct, and that the instructions for entering the data are followed.

Program Codes

Functional areas and support programs of agency-administered health programs have been identified. Within each broad category, the specific programs are identified which have unique federal or state reporting or expenditure requirements. **Whenever possible, the specific codes that best describe the program for which work is performed should be used, rather than the broad category codes.** For example, if an employee is working on Family Planning patient files, the program code would be "FP;" however, if the employee is attending a meeting that deals with general updates of all or most of the Maternal and Child Health programs, then "MC" should be coded.

All program codes are two characters in length and are listed on the Time Study drop boxes in the system for easy reference. In addition, Finance will provide a list of the program codes on the agency intranet.

Activity Codes

General types of agency activities have been developed for use on the Time Study report. Specialized activity codes have also been identified for designated divisions or programs. The general activity codes and specialized codes are provided in the system. In addition, Finance will provide a list of the activity codes on the agency intranet.

Project Codes

Limited use codes have been developed to designate time spent in special agency projects. These codes are for use by appropriate staff only.

Employee Changes

The Time Study electronic system will track and maintain employee location and date of termination.

Code Definitions

A definition of the general use codes, by activity code number, is provided below:

1. **Community Outreach/Education**: Education directed at the general public; outreach, follow-up, or services for the purpose of informing **prospective** clients of the availability of services. Examples of community outreach/education activities include presentation to schools, P.T.A., Extension Service groups, Church and Civic organizations, etc.; in-person and telephone contacts from the public for referrals to other providers, programs or agencies; and community assessments, planning and networking.

2. **Patient Records**: This code includes completing patient intake forms, billing for services and receipt of patient fees, scheduling appointments, working with computer or manual tickler lists, contacting persons who have missed appointments, as well as activities associated with the maintenance of patient records, such as transcribing, posting lab results, filing, and time spent correcting computerized patient management lists and patient records. Also included is other follow-up activities not associated with direct patient care process, such as nursing contacts to patients who have missed appointments.

3. **Patient/Client Encounter:** This code is to be used for services provided to individuals at a Health Department office or clinic. This code may be used by all Health Department personnel except clerical staff, and includes recordkeeping functions performed in conjunction with the visit. Employees should use this activity code when providing office-based patient/client services. The program code used should be the one for which the service is provided, e.g. "MA/03", "ST/03", etc.

4. **Field Visit**: This code should be used for services provided to individuals outside of the office or clinic. These services include those recordkeeping functions that are performed during or immediately following a visit, such as nursing notes and documentation of the visit. Also included in this code would be travel associated with the visit, such as travel to a home for a home visit or to a facility for a facility inspection, etc. This activity code should be used along with the actual program code for which the field visit was made, e.g. "ED/04", "GN/04", etc.

5. **Office Support**: This code should be used for support functions not directly related to particular clients, such as general secretarial duties, preparation of summary reports, maintenance of a central filing system, purchasing supplies, general housekeeping or maintenance duties, etc. Clerical activities for the Sanitation Program, such as completion of forms or records and collection of fees, should also be reported under this activity code.

6. **Training:** This activity code includes preparation time necessary to provide or attend training, and time spent in providing or receiving training. Training programs or activities should be for the specified purpose of improving professional or job-related skills, and includes orientation. Training programs are structured with a specific set of goals and objectives and usually have a written agenda or course content. Approved courses for which certificates of completion are

awarded; seminars, workshops, symposiums and the like are all typically defined as training events. This code also includes time spent in preparing educational assignments related to the training.

7. **Advisory Committee / Stakeholder Meeting**: This code is to be used for time spent attending an advisory committee or stakeholder meeting.

8. **Management/Supervision**: This code includes all supervisory and personnel activities performed in the management of a unit as well as such management functions as program or district administration, planning, budgeting, and evaluation.

9. **Technical**: This code includes activities which require training of a professional and/or technical nature, and does not include management and/or supervisory responsibilities. Examples include activities such as accounting, computer programming, or technical activities performed by Health Program Representatives, Disease Intervention Specialists, Environmentalists, and related job classes when their activities are not directly client related. This also includes internal monitoring.

10. **Disaster Response/Recovery**: This code is to be used only for disasters designated as specific in nature by MSDH.

11. **Disaster Response/Recovery Travel**: This code includes time spent traveling to and from specific disasters designated as such by MSDH.

12. **Leave**: This code is to be used for all leave taken regardless of type, including personal, major medical, military, agency sponsored scholarship education, authorized holidays and days taken in lieu of these holidays.

13. **Administrative Leave**: This code is to be used for all administrate leave taken.

14. **Travel Time**: This code includes time spent traveling to and from meetings, training and service delivery sites, not including travel associated with routine field visits or other activities. Travel time for specific work activities or clinics should be coded to the related program, while general work activities or clinics would be coded to program GA.

15. **Case Management/Extended Follow-up**: Activities involved in all direct and indirect services related to the case management and the extended follow-up process to include initial enrollment in the Children and Youth with Special Healthcare Needs Program, direct and indirect client-specific services, health education that is specific and defined to the individual's needs, and other related activities. Code 40 is to be used for all patient specific time, whether face-to-face or

indirect. Code 40 is to be used by all staff providing such services.

15.4 Employee Data

Once the employee logs into the system using their MSDH system log on, they will be directed to the current time study electronic record. As part of the process, each employee will select their supervisor, then close the file by submitting it. Since records are accessed by the specific username and password of each employee, this will be considered an electronic signature. The form will be directed to the supervisor of the employee for approval. If there are issues, the supervisor will e-mail the employee that corrections are needed. The employee will follow normal process to access and correct.

15.5 Time Reporting Data

Each program and associated activity must be listed for the reporting week. A specific combination of a program and activity code (i.e.FP/03) should be reported with amount of time spent each day for the program/activity recorded. If applicable, the project code should also be entered for each project specific program and activity.

Only one line should be used for a particular program/activity combination. For example, if an employee is recording FP/03 time for different days of the week, all entries should be entered on the same line under each appropriate day of the week.

Program

This code must be completed. Enter the program code which best describes the program area in which the employee spent his or her time.

Activity

This code must be completed. The activity code which best describes the activity performed should be entered in the activity column.

Hours/Minutes

If an employee spends less than 15 minutes in a given activity, this time may be accumulated over the week and entered as a single time item on any day. For example, if an employee spends 10 minutes a day for three days in a given program/activity, this time may be entered as 30 minutes on any day of the week. Should this accumulation result in time other than quarterly hour increments, it should be rounded to the next quarter hour, e.g. 50 minutes to 60 minutes, 40 minutes to 45, 20 minutes to 30 minutes, etc. Rounding should be done so that the result reflects the correct total of time worked for the report week.

Totals

The system totals all columns. The work week is normally 40 hours. The system will allow an employee to enter more than 40 hours but overtime must be approved by supervisor before accrued.

15.6 Transmittal and Retention

It is mandatory that a Time Study report be completed for each employee performing work activities for the Mississippi State Department of Health during the designated Time Study week. It is the express responsibility of the supervisor to ensure that a Time Study report is completed, even in the case of an absentee, newly hired or newly terminated employee. **The State Health Officer has deemed that failure to complete a report will constitute grounds for disciplinary and corrective action toward the employee and/or the supervisor/designee.**

Transmittal of Time Reporting Forms

During the reporting week, the employee should complete the time reporting form using the on-line system. Once the employee has completed the time study for the week, the employee will electronically route the form to their supervisor.

The supervisor will review the form on-line and either approve or reject the time study form. The supervisor is responsible for reviewing the on-line submission for correctness. Once the form is approved on-line by the supervisor it is electronically routed to the data base for processing.

Forms returned to an employee for completion must be resubmitted within five working days of the specified return date.

Record Retention

The agency will maintain the electronic data in a format that can be accessed upon request.

Whenever an individual, division, or unit is physically relocated or transferred within the Department, this fact must be communicated to ensure services are not disrupted. The divisions that must be notified when relocation occurs are listed below.

16.1 Telephone Service

In order to ensure telephone services are maintained during the relocation, the bureau/office should notify the MSDH Help Desk within the Office of Health Informatics, Technical Infrastructure and Support (TIS) prior to the move. This unit will determine if new lines and/or jacks must be installed, new telephones ordered, etc. Additionally, telephone sets cannot be relocated without approval of the TIS. If the relocation will necessitate a change within the telecommunications software (i.e., changing an extension number or a call pick-up group), the TIS unit must also be informed.

16.2 Computer Services

If a computer is to be moved at any time, the MSDH Help Desk must be informed. This will ensure that any necessary wiring, cabling, etc., can occur prior to the move. The TIS unit will also provide technical assistance to ensure data are not lost when a machine is physically moved.

16.3 Mail Services

Whenever a unit or division moves, the Mail Room must be notified to ensure mail is routed to the proper place.

16.4 Administrative Services

If an employee is being transferred within the same unit or to another unit or division, the Human Resources procedures as describe within this manual must be followed. This will ensure the employee's position, and payroll if applicable, is correctly processed.

The agency receptionist must be notified prior to all relocations even if the telephone numbers are not changed. This will ensure that calls are routed properly and visitors are directed to the proper building and/or suite.

16.5 Property Office

Whenever equipment, furniture, or any item with an acquisition price in excess of $500 is moved or transferred, the Property Office must be notified. The notification should include the inventory number, the current location, the new location, and the person to whom it is to be assigned. The Agency inventory will be updated upon notification.

17.1 Definition

Professional Enrichment (PE) involves training and other activities associated with improving and enhancing an employee's work performance in a particular area by providing job-related information and/or teaching job skills. The Mississippi State Department of Health (MSDH) is committed to provide its employees with the training and development necessary for each staff member to perform his or her job as expected and to increase the skills associated with that job.

17.2 Philosophy

In keeping with the philosophy of public health in general, and of the MSDH in particular, the focus of PE is on prevention. It is the philosophy of PE that problems involving personnel and service delivery often can and should be prevented through a strong training and development effort. Any organization is only as effective as its individual members and, in order for individuals to successfully do their jobs, they must know what is expected of them and has the information, skills, and motivation to perform their assigned tasks. This can only be accomplished through a well-planned, continuous, organization-wide professional enrichment program that takes into account the needs and goals of the organization as well as those of the individuals who comprise it.

17.3 Scope

All agency training is coordinated by PE. In addition to coordinating employee training, the office conducts training, maintains a database of employee training transcripts, coordinates travel requests involving any training event and all out-of-state travel, and maintains the agency online Learning Management System (LMS). PE is available to provide technical assistance in selecting contract trainers, reviewing training materials, and establishing employee training needs.

17.4 Workforce Development Plan

A workforce development plan ensures that staff development is addressed, coordinated, and appropriate for a department's needs. Staff job duties and performance should be regularly reviewed to note accomplishments and areas that need improvement.

In order for the agency to achieve its goals and accomplish its mission, it must have a flexible training and development plan. To be effective (i.e., to provide a staff which has up- to-date knowledge and skills and which is motivated to perform), this plan will require a cooperative effort on the part of all agency personnel. This effort must involve (1) an effective orientation for new employees, (2) training programs based on sound learning theory built around needs assessment data, (3) an ongoing identification of and systematic plan to meet workforce

development needs, (4) evaluation of the effectiveness of the plan, and (5) modification of the plan when the need for such is indicated.

17.5 Needs Assessment

PE's goals and objectives are based on the continuous, systematic assessment of agency staff training and development needs. Each unit (office, bureau, division, program, or district) needs to actively participate in the needs assessment process. This process is aimed at determining specific, as well as general, training and development needs and will allow for the systematic "establishment of need" for the formal educational development of employees to meet the agency's need for specially trained staff. PE directs the needs assessment process that is incorporated into the agency planning cycle.

17.6 Orientation

Orientation to the Mississippi State Department of Health and the concept of public health are essential for a staff member to understand their respective roles and contributions towards achievement of the agency's mission. They also have a direct impact on future employee productivity, performance, and job satisfaction. PE maintains the *MSDH Employee Orientation Manual* that is used during new employee orientation sessions.

Regularly scheduled orientation workshops are conducted for new employees. All new employees shall attend a new employee orientation within 6 months of hire. Ensuring that new employees are scheduled within this interval is the responsibility of the employee's immediate supervisor.

During these sessions, attendees are taught how to access and utilize the agency's online learning management system (LMS). Within 30 days of the orientation training, attendees shall enroll in and complete the online course *Orientation to the Essentials of Public Health Introductory Level.* Completion of the Intermediate and Advanced levels are to be determined by the attendee's immediate supervisor. Completions will be tracked by PE staff.

17.7 Evaluation

In order to determine the quality and effectiveness of training programs conducted or sponsored by the MSDH, proper evaluation must be conducted. Agency training programs, other than those in-service programs conducted by District or County staff, will be evaluated using the *Training Evaluation* (Form 6) and/or other appropriate methods of evaluation such as pre-and post-tests. PE will provide technical assistance, but the individual or unit conducting the training is responsible for the program evaluation and should submit a summary of the completed evaluations to PE for review within two weeks after completing the training. Based on the

evaluation of each training program, modifications may be recommended as needed. Technical assistance will be available as necessary.

17.8 Types of Professional Enrichment Training and Development Activities

Training can be in the form of a seminar, workshop, lecture, home study course, new employee orientation, web based courses, or on-the-job training. Meetings which do not consist of structured activities designed to improve work performance in a particular area are not considered training. Examples of non-training activities typically include staff meetings, board meetings, and committee/task force meetings.

Intra-Agency Training

Intra-agency training activities are those activities that are sponsored, co-sponsored, and/or conducted by agency programs or staff. All agency-sponsored or co-sponsored trainings must be scheduled through PE via a Training/In-service Agenda Form 951 and submitted 60 days prior to the training event.

Individual Development Plan (IDP)

As part of the **P**rofessional **D**evelopment **S**ystem (PDS) process, supervisors and employees are to collaborate and create an annual Individual Development Plan (IDP) which is targeted at providing the employee with the requisite developmental opportunities that will enhance their abilities to perform and excel in their current position. Managers may also include suggested development goals and objectives aimed at addressing an employee's longer-term career aspirations. An IDP may include training and development classes, special projects, external professional associations or civic activities, research, self-study, work details in other roles or to other departments, etc.

Professional Enrichment can play a vital role in this process. IDP goals can be populated in PE's LMS, providing a means for tracking and reviewing an employee's IDP progress. PE also offers or coordinates a myriad of ongoing professional development programs and courses, such as:

- **New Employee Orientation** - training activities designed to provide emphasis on the background, purpose, organizational structure, programs, and projects of the agency.

- **On-The-Job Training** - training activities designed to provide job-related instruction to new employees or employees whose job duties are changed.

- **In-Service Programs** - training activities designed to provide periodic review of, or changes in, policies or procedures; instruction on new programs and projects; and job-related instructions when necessitated by overall changes in agency or program policies or

procedures.

- **Agency Training Programs** - conferences and seminars conducted or sponsored by the agency for the purpose of providing job-related training or information.

- **Web-Based Training Courses** - Self paced, web based training courses that may include, but are not limited to, those that are provided through the South Central Public Health Training Center or the CDC.
  *Approval Procedure**:***

  Attendance at intra-agency training requires only the prior approval of the appropriate supervisory personnel (i.e., immediate supervisor and the appropriate office director/district administrator).

  Continuing Education Credit (CEU):

  CEU's to be credited towards a professional credential are awarded only when training programs and/or training agendas are pre-approved by the entity that originally awarded the credential. MSDH does not award CEU's, but rather, may provide training that is eligible for approval by a credentialing entity.

  Training Contact Hours:

  Training contact hours differ from CEU's in that contact hours are not credited towards a specific certificate, degree, or credential. Contact hour information for intra-agency training is determined through agendas and/or itineraries that are required by policy to be supplied when seeking approval for any extra-agency training by use of a *Travel-Training Request* (Form 5). Should CEU's be awarded for a specific training, the number of CEU's awarded will also be counted as training contact hours.

<u>Extra-Agency Training</u>

Extra-agency training activities are those activities that are presented or conducted by individuals or organizations outside the agency and/or activities for which travel authorization may be required. Below are some examples:

- **Local Training** - conferences, workshops, or seminars held in the employee's local reporting area but not sponsored by the agency. Approved locally.

- **In-State Training** - conferences, workshops, or seminars held in the state but not sponsored

by the agency and requiring approval by the employee's Office Director or District Administrator through the *Travel/Training Request* (Form 5) process.

- **Out-of-State Training** - conferences, workshops, or seminars held outside the state and requiring approval by the State Health Officer through the *Travel/Training Request* (Form 5) process.

Approval Procedures for Local Extra-Agency Travel/Training (zero registration fees and no travel expenditures):

An employee may attend local extra-agency training assigned or approved by his/her immediate supervisor without submission of the *Travel Training Request* (Form 5) whenever such participation does not incur additional costs to the agency (fees, mileage, etc.). Documentation of supervisor approval with copies of the agendas and/or itineraries is required to be forwarded to PE for training tracking purposes.

Approval Procedures for In-State Extra-Agency Training (Non-Local + Some Expenditures)

1. An employee requesting extra-agency training shall submit a *Travel/Training Request* (Form 5) to his/her immediate supervisor with a brochure, agenda, or complete description of the training program. This should be done at least three weeks in advance of the training.

2. If the request is approved, the form is signed by the appropriate supervisor and the packet is forwarded to the administrator of the budget from which training costs will be paid. This individual has final approval and is responsible for verification of compliance with agency travel and reimbursement policies and for determining the appropriateness of the request.

3. Upon final approval or disapproval, the original copies are returned by PE to the employee making the request.

Approval Procedures for Out-of-State Extra-Agency Travel/Training

An employee traveling out of the state for a meeting or training function should follow the same first two steps for in-state training as described above. After Step 2, the approved form must be routed for review and approval to: A.) Director of Finance and Accounts; B.) Director of Health Administration; C.) Director of Professional Enrichment; and, D.) Director of Human Resources.

Upon approval by the Director of Human Resources, the form is routed through the Director of Health Administration to the State Health Officer for final approval.

If more than one person from a district or an office is requesting attendance at an out-of-state meeting or training session, a cover memorandum addressed to the State Health Officer justifying the need for more than one individual to attend must be included with the requests.

Reimbursement of Travel Expenses

The agency pays travel and/or subsistence at approved rates if authorized by appropriate district or program staff.

Approval for training for which the agency pays any cost is contingent upon availability of funds, relevancy of the training to job responsibilities, and the ability to provide adequate coverage of workload during absence. For extra-agency training or continuing education that is not related to the employee's job responsibilities, neither reimbursement nor time other than personal leave will be given. Listed below are the types of extra-agency training programs and the agency policies on reimbursement.

- Annual Professional Meeting - a continuing education session to which a business meeting is attached. Reimbursement for attendance for an employee who is a member of the organization is addressed in the agency travel policies. An individual may attend the annual professional meeting of more than one organization. Staff who participate in a professional association in which the position, rather than the individual, is a member may request full reimbursement.

- Required Training/Meeting - a session that is designed for employees who must maintain some type of certification (Federal, State, etc.) or be trained to perform job functions to meet specific requirements. This does not include requirements for continuing education credits. Reimbursement is based on agency travel policies.

- Program or Job-Specific Training and Continuing Education (Other Training): Program or job-specific training and continuing education are referred to as other training and consist of a planned, organized learning experience designed to augment knowledge, improve skills, and/or teach new skills for the enhancement of job performance.

The District Health Officer and District Administrator or Office Director will evaluate the request for approval based on the need and district resources. A request submitted for a District Health Officer, central office physician, or Office Director also will be evaluated on

an individual basis by the State Health Officer.

- Meeting - a meeting in which an employee participates as a committee member, an advisor, or as a presenter that is generally not designed to affect job knowledge or skills. Reimbursement is based on agency travel policies and is not routed through PE unless it requires travel out of the state.

Priority will be given to those sessions that support certification and/or those that have content that is directly related to job responsibilities.

17.9 Policy Regarding Food for Training and Business Meetings

The following policy applies to all MSDH meeting, training, workshop and conference meals and/or refreshment purchases.

Meals may be purchased for meetings if:

- Meals cannot be obtained on an "on-your-own" basis without disrupting the meeting for more than an hour.
- Two-thirds of the participants do not work for a Mississippi state agency.
- The meeting must extend one hour before and one hour past mealtime.
- The cost of the meals cannot exceed the daily limit of $41 per person. If only lunch is served, the maximum limit is $11 per person. If only dinner is served, the maximum limit is $23 per person.
- All meetings are held in-state, unless exempted or waived by the State Health Officer.
- No meal provided at a meeting may be claimed separately by an employee on their individual travel reimbursement request.

Reasonable refreshments may be purchased for business and training meetings. (Purchase of refreshments for in-house agency staff meeting or training is not allowed.) All meals and refreshments must follow the **Healthy Catering and Event Guidelines** located on the Agency Intranet.

Under no circumstances may alcoholic beverages be purchased using agency funds.

Healthy Catering Policy for Business Meetings, Conferences, and Events: Foods ordered for MSDH sponsored meetings, conferences and events that are paid from MSDH budgets, regardless of funding source(s), must be in accordance with the MSDH Healthy Catering Policy.

All sponsored events, also supported by MSDH will include the following healthy items:

- Fruits and/or vegetables
- Low-fat milk and dairy products
- Foods made from grains (like wheat, rice, and oats), especially whole grains

MSDH personnel will be required to complete the **Healthy Catering Policy Payment Authorization Form** (Form 44) located on the MSDH Intranet.

Employees will be required to mail, fax, or email a copy of Form 44 and a copy of the food menu of the MSDH sponsored event to:

The Office of Preventive Health-Plaza 1 Building Division
of Nutrition, Physical Activity, and Obesity
Post Office Box 1700
Jackson, MS 39216-1700 Or
Fax to: 601-899-0154

A copy of the completed and signed **Healthy Catering Authorization Form** is to be attached to **all food payment requests**.

Failure to adhere to food policy guidelines or failure to receive approved authorization may result in the employee being responsible for food payment.

All exceptions to this policy must be submitted in writing to and approved by the Director of Health Administration prior to the meeting.
For technical assistance and support for menu planning please contact:

MSDH Office of Preventive Health	MSDH Nutrition Services
Phone: 601-206-1559	Phone: 601-576-7820

-or-

See MSDH's **Healthy Catering and Event Guide** at
http://msdh.ms.gov/msdhsite/index.cfm/43,4717,277,pdf/HealthyCatering.pdf

Required Documentation

The following documentation is required for all payments of food and/or refreshments for meetings:

- Signed log of all participants showing their name, name of the agency, office or business.

- Purpose and agenda (please state if it is required by law)
  1. Type of meeting (advisory council, board meeting, public hearing, etc.)
  2. Date and time the meeting begins and ends
  3. Location (town and building)
  4. Itemized invoice from vendor

Meeting expenses must be itemized and separated from the cost of meeting room, showing the number and price per meal and cost of refreshments for breaks must be itemized separately on the invoice.

17.10 Responsibilities

The primary responsibility for the professional enrichment, training, and development of MSDH employees rests with immediate supervisors. However, for organizational and coordination purposes, certain general areas of responsibility are designated in the sections below.

<u>Professional Enrichment</u>

- Assist with development and execution an up-to-date workforce development plan for the agency, including a schedule of training activities.

- Maintain the agency online Learning Management System and provide all technical assistance necessary to program areas and staff who utilize it.

- Develop, coordinate, and/or assist in the presentation of new employee orientation and other training programs.

- Provide technical assistance when needed for training and development programs.
- Coordinate statewide in-service training programs with central office personnel and district staffs to insure that there are no scheduling conflicts and that programs are combined, when possible, in such a way as to minimize time and cost.

- Serve as coordinator for requests from the districts for assistance with district-planned in-service and other special programs.

- Provide coordination assistance to persons or organizations conducting MSDH authorized workshops, short courses, seminars, and other special programs with districts, offices, other state agencies, and special consultants, when appropriate.

- Serve as a MSDH coordinator with other agencies for workshops, seminars, or short

courses that may be available to MSDH employees.

- Maintain a file of information on continuing education available and provide information to individuals or groups, as requested. This file shall include, but not be limited to, information on college academic courses, adult education courses, CDC and other correspondence courses, printed educational materials, etc.

- Coordinate employee training requests review and approval process.

- Maintain a record of training for each employee.

- Submit required reports to the Mississippi State Personnel Board.

Agency Administrative and Supervisory Staff

- Identify needs of individual employees and specific groups or job classes and communicate these needs to PE.

- Provide time for, and encourage participation in, training and development to maintain and improve efficiency and to maintain an adequate pool of appropriately trained employees to fill the agency's needs.

- Screen requests of employees for training sessions to assure that requests are consistent with employee's job and ability, in the best interest of the agency, and in compliance with agency policy. Consider prior training activities of those personnel requesting attendance, the workload, and total cost compared to potential gains to the agency.

- Coordinate with PE in scheduling, organizing, planning, conducting, and evaluating special workshops, seminars, short courses, etc.

- Provide program related training materials, printed handouts, guidance, training aids, etc., as needed to conduct training programs, when appropriate.

- Coordinate with PE as requested in providing personnel to assist in the presentation of new employee orientation, in-service programs, workshops, and other regularly scheduled training activities.

- Provide new employee orientation and send proper documentation to PE.

- Provide for the special training needs of employees. This includes the supervising or

conducting of on-the-job training of an employee assigned to a new job. During performance appraisals, the supervisor and employee should agree on training needed and this information should be incorporated into the employee's elements and standards.

- Plan, present, and evaluate in-service and/or training programs.
- Coordinate with PE and assist as needed in the identification and availability of continuing education materials and resources at the local, state, and regional levels.
- Assist PE in identifying and securing facilities or meeting space for in-service programs, workshops, etc.
- Submit required reports to PE.

Employees

- Provide input into the training and developmental needs assessment.
- Actively participate in approved training programs and comply with all program/course requirements (refer to *General* responsibilities below).

Professional Enrichment Advisory Committees

At the discretion of the State Health Officer, advisory committee(s) may be periodically appointed to serve for a defined period of time to provide recommendations to PE regarding training and other areas of development needed within the agency. Committee membership shall be composed of representatives, regardless of position classification, from each affected DH-Office. For example, Professional Enrichment Advisory Committees may be asked to:

- Provide representative input on issues involving training and developmental needs.
- Make recommendations on PE policies and procedures.
- Assist in the identification of agency staff qualified to conduct various training programs.
- Provide input in the setting of PE priorities.
- Recommend approval/disapproval of educational scholarships and Certified Public Manager (CPM), Administrative Support Certification Program, or other approved certification program applications, and certain Extra-Agency training.

Trainers or Workshop Leaders

Conducting an In-Service Training Session - If an employee of the agency will be conducting a training session, he or she will be responsible for performing the following tasks:

- Identify training needs and the appropriate target audience. Please be as specific as possible. For example, if training only affects "TB Nurses" do not list "nurses" as the target audience.

- Develop training objectives and a tentative agenda and training format.

- Submit a completed *Training/In-Service Agenda* (Form 951) to PE for review and approval. PE is responsible for obtaining further approval as necessary. All Training/In-Service to be delivered to employees in the districts must also receive the approval of the appropriate District Administrator(s) and the Director of Field Services prior to initiating steps to schedule district personnel. District personnel shall not be scheduled for In-Service type training that has not been approved through the Director of Field Services. **Approval requests should be submitted no less than 60 days in advance of targeted delivery dates.**

- Upon receiving required approvals, make the following arrangements as necessary:
  - Establish or confirm training date(s).
  - Reserve an appropriate site.
  - Arrange for speakers, if applicable.
  - Arrange for equipment, if applicable (this step can be scheduled in advance through PE).
  - Notify appropriate staff. (e.g., target audience, supervisors and directors of target audience personnel, etc.)
  - Submit application for continuing education units, if applicable, to the appropriate accrediting body at least 30 days in advance.
  - Prepare certificates, if applicable, for dissemination at the training session.
  - Ensure all staff in attendance signs the *Training/In-Service Registration* Form(s) and submit the completed form(s) to PE within one week of the training.
  - Have attendees evaluate the training using the *Training Evaluation* (Form 6) or a comparable evaluation tool. Submit a summary of the evaluations to PE within two weeks of the training.

Note: If the rate for overnight rooms exceeds the state rate, prior approval by the Director of Health Administration is required.

General

Agency approval for staff to attend training events constitutes an implied contract. This contract binds the agency to authorize the necessary time away from work and to reimburse expenses in accordance with agency travel policies. The contract likewise binds the designated staff member to be in attendance for the duration of each session or sessions, to comply with all course requirements, and to successfully complete the session(s) or course(s).

17.11 Agency Continuing Education Provider Information

Contact Hours for Nurses

MSDH is designated by the Mississippi Nurses Foundation (MNF) as an approved provider of continuing education. The Chief Nurse Consultant is available to provide technical assistance to the agency's program areas for the planning of continuing education activities. The program nurse consultant or other MSDH staff member should submit the completed MNF application to the Chief Nurse Consultant no less than 30 days prior to the presentation of the activity. Each activity will have an approval number that expires after two years. Approval for contact hours will not be given retroactively.

17.12 Professional Licensure Requirements

PE **does not** maintain files of each employee's professional licensure requirements (i.e., attorneys, nurses, physicians, dentists, nutritionists, social workers, engineers, etc.) to ensure each employee receives the required continuing education units each year. It is the employee's responsibility to maintain his or her own license and ensure that enough credits are received for maintaining his or her professional licensure as required.

17.13 Audiovisual Equipment

PE has a limited amount of audiovisual equipment available for use within the agency for training purposes.

Equipment Loan

Requests for use of audiovisual equipment shall be made to PE with as much advance notice as possible. Approved use of equipment is made on a first come, first served basis. Equipment will not be loaned for personal use.

The borrower assumes responsibility for the repair or replacement of any equipment that is

damaged or not returned. If equipment is stolen while in the borrower's possession, a police report must be filed to clear the borrower of financial liability.

17.14 Scholarship Policies and Procedures

Background

The agency, within the limits of available funds and staff, is authorized pursuant to Section 37-101-293, Mississippi Code of 1972, Annotated, to grant scholarships to its employees. A scholarship may consist of any combination of unpaid educational leave, paid educational leave at a maximum salary to be established by the Mississippi State Personnel Board and/or reimbursement for tuition, books, and related fees for undergraduate or graduate level courses. A recipient of full-time educational leave shall not accrue personal or major medical leave while on paid educational leave. Payments for tuition, books, or fees at a college or university can be reimbursed only for employees who have been approved for the scholarship program. Reimbursement of any expenses must be specifically pre-approved at the time the employee is notified that their agency-provided scholarship request has been approved. Often scholarship program participation may be limited to granting time-off, with or without pay, to attend classes. The purpose of the scholarship program is to encourage employees to develop job-related skills and to develop employees for higher-level professional and management positions. Priorities for awarding scholarships will be based on the established need within the agency for staff with the educational credentials being sought and the unavailability of individuals with those credentials in the relevant applicant pool. Established needs for scholarships include: (a) staff nurses to attain the Bachelor's degree in nursing; (b) staff nutritionists to attain American Dietetic Association registration; (c) environmental health staff to obtain degrees in engineering, health physics, or dairy or food science; and (d) mid-level and upper- level management staff to obtain a Master's degree in Public Health, Public Administration, Health Care Administration, or a course of study directly related to the requirements of the job.

Eligibility Criteria

To be eligible for consideration for the scholarship program, an employee must have at least three years of full-time continuous employment with Mississippi State Government immediately prior to making application. (*Exception: ASCP, Level I only requires six months of continuous employment.*) The three-year employment requirement may be waived by the State Health Officer for: a) an applicant for graduate level education in a profession deemed by the State Health Officer to meet a critical need within the agency; or b) for other key managerial personnel whom the State Health Officer deems would be more effective having completed targeted Public Health or strategic leadership training such as the Certified Public Manager Program (CPM). These exceptions will be considered on a case-by-case basis.
Scholarship recipients for a degree granting program must attend an accredited college or

university in Mississippi unless the requested course of study is not available within the state. In addition, applicants in degree-granting tracks must be classified as seniors, if they are undergraduates, in order to be eligible for any form of scholarship assistance. Full-time students will be granted educational leave for a maximum of one full academic year (including summer school). All scholarship recipients shall be required to complete the requested course work within four years of the beginning date specified on the request unless prior approval for an extension is granted.

Educational expenses for tuition, books, and associated fees shall be reimbursed to the employee only after the employee has submitted documentation that the approved course(s) has/have been successfully completed. Successful completion shall be defined as a "B" average (3.0 on 4.0 scale) or higher for courses taken during the term, with no course grade lower than "C" (2.0) or as "pass" for pass/fail courses.

Educational leave should be claimed by the employee as it is taken; however, if courses are not successfully completed (with a "B" average for the term and no grade on any course below a "C"), the scholarship recipient must complete leave correction forms and use either personal leave or leave without pay for the hours previously claimed as educational leave. The scholarship recipient's immediate supervisor will be responsible for maintaining the employee's Leave Card. The employee must submit a copy of all reports of final course grades to PE. In the event the employee is unable to maintain a B average, PE will notify the employee's immediate supervisor and the Leave/Payroll Department of Human Resources that a corrected Leave form will be required from the employee.

If granted financial educational assistance from the agency, the recipient shall declare the agency educational assistance to be the only source of educational monies available for the approved courseware. Should other sources be available at the time of application, or become available during the contract period, the recipient will immediately declare the source and amount to the agency. Failure to fully disclose other sources of financial aid may be grounds for immediate termination of all agency provided educational benefits and potentially for disciplinary action taken against the employee. The agency will not duplicate any reimbursement obtained from other sources. Loans may be exempt from the above provision at the discretion of the agency.

Cancellation

The agency may cancel any contract made between it and any recipient for educational leave or paid educational expenses or both upon such cause being deemed sufficient by the State Health Officer. The agency is vested with full and complete authority and power to sue, in its own name, any recipient for any balance due the state on any such uncompleted contract, which suit shall be conducted and handled by the Office of the Attorney General of the state.

Applications for Master's or Doctorate in Public Health

Scholarship applications for degree-granting graduate level studies in public health will be considered based on the emphasis area of most benefit to the agency. Applications will only be considered for employees who have applied to schools of public health that have been accredited by the Association of Schools of Public Health. Employees who are considering graduate studies in public health should seek counseling about the agency's needs and related emphasis areas within the various schools of public health prior to submitting an application. Applications will not be considered for individual courses in public health.

At the sole discretion of the State Health Officer, other degree-granting programs directly beneficial to the agency may be approved.

Maximum Educational Leave Salary

The Mississippi State Personnel Board prescribes the maximum salary levels permitted employees on full-time Educational Leave. Employees whose salaries at the time of application are $24,941.40 or below will have salaries established at the current salary at the time of application. Employees whose salaries at the time of application are greater than $24,941.40 will have their salaries set at $24,941.40 **plus** a 50% deduction ratio for all dollars up to the current salary. Employees shall be ineligible for salary increases for the time they are on full-time Educational Leave. However, upon the completion of full-time Educational Leave, recipients of full-time Educational Leave shall have their salaries restored to the level the salary would have been after the addition of any salary increases enacted by the Legislature during the period of full-time Educational Leave. No back pay or back award of pay shall be authorized for the time spent on full-time Educational Leave (consult PE or see Mississippi State Personnel Board Policy and Procedures Manual).

Application Procedures

Eligible employees may request a scholarship application from PE. The completed application should be returned to the supervisor who will complete the supervisor's recommendation form and submit it and the application through the applicant's chain of command (up to DH-Office Director) for concurrence.

NOTE: An employee is eligible to participate in only one agency-sponsored scholarship program at a time, including but not limited to CPM, Technical Certification, and academic studies on an undergraduate or graduate level.

After completion of the organizational review and approval, the office/district/medical director will complete the Unit Director's Recommendation form(s) and send the entire packet to PE with

a copy to the applicant. On the other hand, if the applicant's organization's leadership recommends disapproval, this should be discussed with the applicant by his or her supervisor and the application packet returned to the applicant. In such cases, PE will not accept the application packet unless the applicant makes an appeal to the State Health Officer through the Director of Human Resources.

If the applicant's organizational leadership recommends approval of the application, PE will forward the entire completed packet to the Director of Human Resources for final review and recommendation before it is presented to the State Health Officer for his or her consideration. The State Health Officer has final approval authority and may at his or her discretion consult with others within the agency before rendering the final resolution on the application. This consultative option may be helpful when multiple qualified applicants are competing for a limit number of scholarships.

Upon completion of this process, the Director of Human Resources or the Director of PE shall notify the applicant in writing of the State Health Officer's final disposition of the request.

Undergraduate, Graduate and Doctorate Scholarship applications should be submitted to PE at least 60 days prior to the beginning of the semester for which the employee is seeking scholarship approval in order to provide sufficient time for review and consideration.

Repayment Requirements

Those scholarship recipients shall agree to work for the agency for a period of time based on the total expense to the agency. The payback for all recipients shall be based on total cost to the agency, including tuition, books, fees, salary, and fringe benefits for time spent in educational leave status.

The payback schedule is as follows:

Cost to Agency	Obligation
$ 3,999 or less	1 year
$4, 000 to 9,999	2 years
$10, 000 to 15, 999	3 years
$16, 000 to 21, 999	4 years
$22,000 to 31, 999	5 years
$32, 000 and above	Negotiated with State Health Officer approval

The payback begins the day the employee graduates from the program. If an employee in payback status is approved for twenty or more hours per week of educational leave under a new contract, payback status for the previous contract will be deferred until the employee completes requirements for the new contract.

The complete terms of the recipient's obligation shall be specified in the contract between the recipient and the agency. This contract shall be entered into prior to the awarding of any form of scholarship assistance that shall not exceed a total award of $6,000 for tuition and fees and $700 for books. The maximum the recipient can be awarded in a contract is $6,000 for tuition and fees, $700 for books, and 52 weeks of educational leave. These monetary ceilings may be waived by the State Health Officer with concurrence by the Board of Health for a) an applicant for graduate or executive level education in a profession or specialty deemed by the Board of Health and State Health Officer to meet a critical need within the agency; or b) for key managerial personnel whom the State Health Officer deems would be more effective having completed targeted Public Health of strategic leadership training at an accredited institution of higher learning. These exceptions will be considered on a case-by-case basis by the Board of Health and the State Health Officer. Recipients receiving scholarships under these terms and conditions will have their payback obligations to the agency adjusted upwards based on the total dollar value of the financial assistance provided.

If the recipient does not work as an employee of the agency for the period of employment specified in the contract, the recipient shall be liable for repayment on demand of the remaining portion of the compensation that he or she was paid while on paid educational leave and educational expenses paid, with interest accruing at ten percent (10%) per annum from the recipient's date of graduation, or the date that the recipient last worked at the agency, whichever is the later date. In addition, there shall be included in any contract for paid educational leave, a provision for liquidated damages equal to $2,000 per year for each year remaining to be served under such contract.

Default Penalties

If an employee resigns or is terminated for cause before the repayment period has been completed, the recipient is liable for repayment. The agency will withhold the payment of annual leave pay until the employee repays scholarship debts owed.

If any recipient fails or withdraws from school at any time before completing his or her education, the recipient shall be liable for repayment on demand of the amount of the total compensation (tuition, books, salary, fringe benefits, and other fees) that he or she was paid while on paid educational leave, with interest accruing at ten percent (10%) per annum from the date the recipient failed or withdrew from school. However, if the recipient remains or returns to work in the same position he or she held in the agency prior to accepting educational

leave, he or she shall not be liable for payment of any interest on the amount owed.

If a recipient is taking courses to qualify him or her to take the Registration Examination for Dietitians (R. D. exam), the recipient shall be required to pass this exam within two years after completion of the coursework and practical hours. If the recipient fails to pass the R.D. exam, he or she is liable for repayment of the compensation that he or she was paid while on paid educational leave and any educational expenses paid. If the recipient remains or returns to work in the same position he or she held in the agency prior to accepting educational leave, he or she shall not be liable for payment of any interest on the amount owed.

17.15 Certified Public Manager Program Policies and Procedures

Background

The Mississippi Certified Public Manager (CPM) Program provides a comprehensive systems approach to management development for state and local government agencies. It is designed to help public service middle and top-level management teams enhance their ability to meet the challenges facing governments. Participants learn current management theory and job-related techniques to improve public sector organizational performance. The CPM designation is a professional rather than an academic credential that requires courseware, job- related projects, examinations, and readings.

The Mississippi CPM Program is part of a national effort to improve public management and to recognize achievement through professional certification. It is a member of the National Certified Public Manager Program Consortium, which facilitates program expansion, ensures content quality, and serves as a national information clearinghouse.

The full program consists of six levels. Levels I, II, and III, which lead to a Certificate in Supervisory Management (CSM), are each one week of class. In addition to the three weeks of classroom time, participants must complete 30 hours of professional development electives and an abstract of one outside reading (book). One job-related project that demonstrates the transfer of program concepts to the workplace must also be completed. The approximate time needed to complete these requirements is one year. The Certificate in Supervisory Management is an interim designation that recognizes the completion of Levels I, II, and III, and mastery of fundamental management concepts and techniques.

Levels IV, V, and VI are each one week of classroom instruction and cost $300 per level. In addition to the three weeks of classroom time, participants must complete 58 hours of selected required electives and an abstract of one outside reading (book). Three job-related projects that demonstrate the transfer of program concepts to the workplace must also be completed. The approximate time needed to complete the full course (Levels I-VI) and earn the Certified Public

Manager designation is two years.

Participants are eligible to apply for an educational benchmark after earning the CSM and can apply again after completing the CPM.

Specifics on the courses, the examinations, attendance requirements, and the projects are available in the CPM brochure, the CPM policies, and/or the CPM Student Handbook, all of which are available via the Mississippi State Personnel Board's (MSPB) Training website. Management staff who have the greatest supervisory or management responsibilities will be given priority. Years of service with the agency and/or with Mississippi State Government may also be a priority consideration.

Application Procedure

Any eligible employee may apply for the CPM Program and will initially be considered for Levels I, II, and III. The agency, within the limits of available funds and staff, may limit the number of applicants approved for participation. An employee is eligible to participate in only one agency-sponsored scholarship program at a time, including but not limited to CPM, Technical Certification, and academic studies on an undergraduate or graduate level.

Eligible employees may request a Certificate in Supervisory Management (Levels I, II, and application from PE. The applicant should complete the applicable parts of the application and return it to the supervisor to complete the supervisor's recommendation section. The application should then be submitted to the office/district/medical director (Health Officer, District Administrator, Office Director) for his or her approval or disapproval and then onto the organization's DH-Office Director or equivalent for the same.

If the organization's leadership recommends disapproval, this should be discussed with the applicant by his or her supervisor and the application packet returned to the applicant. In such cases, PE will not accept the application packet unless the applicant makes an appeal to the State Health Officer through the Director of Human Resources.

If the supervisor and directors approve the request, the completed application packet should then be forwarded to PE with a copy to the applicant. PE will forward the entire completed packet to the Director Human Resources for final review and recommendation before it is presented to the State Health Officer for his or her consideration. The State Health Officer has final approval authority and may at his or her discretion consult with others within the agency before rendering the final resolution on the application. This consultative option may be helpful when multiple qualified applicants are competing for a limit number of scholarships.

Upon completion of this process, the Director of Human Resources or the Director of PE shall

notify the applicant in writing of the State Health Officer's final disposition of the request.

Applicants whose requests are approved must submit a *Travel/Training Request* (Form 5) prior to attending each level of the CPM Program.

Upon successful completion of Levels I, II, and III, application may be made using the procedures herein, for participation in Levels IV, V, and VI. Successful completion of Levels I, II, and III, and the CSM designation, does not automatically guarantee approval for continuation to Levels IV, V, and VI.

Applications will be accepted by on an on-going basis.

17.16 Technical Certifications

The agency, within the limits of available organizational funds and staff, may assist employees in receiving certification in job-related computer skills. This assistance may include any combination of time to attend courses, registration fees, test fees, and travel. All requests must receive approval from the employee's DH-Office Director. Standard approval procedures for Travel/Training Requests would also apply.

17.17 Educational Benchmarks

Successful completion of a higher-level educational degree, Mississippi State Personnel Board offered certification programs (e.g., ASCP, BSC, CSM, CPM, etc.), or other approved educational curriculums may qualify the applicant for an educational benchmark as prescribed by the Mississippi State Personnel Board. The award of the approved educational benchmark is contingent upon approval by the employee's Office Director/District Administrator, the availability of funding and approval by MSPB.

17.18 Administrative Support Certification Program

The Administrative Support Certification Program (ASCP) is designed to provide comprehensive training to staff that support the program areas of governmental agencies. ASCP helps support staff better understand themselves, their organizations, and their relationships with their co-workers and their organizations. The program offers participants a variety of learning experiences including practical applications of learning that directly relate to their on-job challenges. Additionally, participants enjoy an opportunity to network and build relationships with their peers.

Participants in this program generally hold positions that support the programs and staff at governmental agencies. Positions include, but are not limited to Administrative Assistants,

Clerks, Receptionists, Secretaries, Data Entry staff, Office Support Staff and Personnel Support Staff.

Eligibility Criteria

To be eligible for participation in the Administrative Support Certification Program, an employee must have at least six months of full-time continuous employment with the Mississippi State Department of Health prior to submitting their ASCAP application. Participation in Level I of this program is exempt from the MSDH Scholarship Policies and Procedures that requires employees to enter into a retention contract with MSDH as a condition of agency sponsorship for most certification or advanced educational or developmental programs. However, employees wishing to progress to Level II and higher must comply with all requirements of the MSDH Scholarship Policies and Procedures; including applying for an agency sponsorship and signing a retention contract if their application is approved (see Scholarship Policies and Procedures above).

Application Procedure

The agency, within the limits of available funds and staff, may limit the numbers of applicants approved for participation. An employee is eligible to participate in only one agency-sponsored scholarship program at a time, including but not limited to ASCAP, CPM, Technical Certification, Basic Supervisory Course, and academic studies on an undergraduate or graduate level.

Employees may request a MSPB Offered Certification Program application from their immediate supervisor or from PE. The applicant should complete the appropriate parts of the application and submit it to their supervisor for completion of the supervisor's recommendation section. The application should then be submitted to the applicant's Office Director/District Administrator or the most senior executive in the employee's chain of command for a recommendation to approve or disapprove. If the applicant's management recommends disapproval, that decision should be discussed with the employee and the complete application packet returned to the applicant. If the applicant's management recommends approval of the request, the application packet should be forwarded to Professional Enrichment (PE) with a copy given to the applicant.

The Director of Human Resources will prepare and submit his or her recommendation(s) to the State Health Officer for consideration of the scholarship application. The State Health Office has final approval authority. (A *Travel Training Request* (Form 5) must be submitted prior to attending the course.)

Completed applications will be accepted by Professional Enrichment throughout the year.

Participants who successfully complete all requirements of one or more levels of the Administrative Support Certification Program may meet the eligibility requirements for an Education Benchmark. Educational Benchmark eligibility is granted by the Mississippi State Personnel Board upon receipt of documentation verifying completion of requirements. The award of the approved Educational Benchmark is contingent upon approval by the employee's Office Director/District Administrator and available funding at the time of the request.

17.19 Intern Recruitment and Hiring Policy

Working with schools of public health and other related academic and educational programs (for example, public health nursing, public health laboratory services, health promotion, environmental public health, public policy) is a means to promote public health as an attractive career choice. Collaborative efforts promote MSDH as an employer of choice and open new pathways for recruitment. Collaboration with academic programs can create opportunities for internships, guest lecturers, and other ways to expose students or new graduates to public health practice.

In an effort to help recruit and retain a highly, skilled workforce, the Mississippi State Department of Health (MSDH) supports hosting students enrolled in educational institutions as Interns. Opportunities may be offered throughout the state public health system. Through the internships, individuals are offered an opportunity to make a positive contribution and to develop professional skills and experience. Internships promote an opportunity for individuals to:

- Learn about the role and responsibility of public health
- Earn educational credits
- Gain valuable work experience
- Explore new careers in public health

Eligibility

An applicant for an available internship position must be a student in good standing at an accredited college or university, a legal resident of the United States, and at least 18 years of age. Students should be pursuing a degree with direct relevance to public health or to the Mississippi State Department of Health.

Required Documentation

It is required that there be a Memorandum of Understanding (MOU) initiated by the academic advisor for each intern placement. This MOU, at a minimum, must include the specific start and completion dates of the internship, number of total hours, specific project to be completed, and

expectations of the intern.
The MOU must be submitted to and approved by the Director of the Office in which the intern will be placed. It is the Office's responsibility to maintain all MOU files and other information related to the intern's placement. The designated proctor to the intern will be wholly responsible for oversight of the intern and communication with faculty advisor.

Upon completion of the internship, the intern will provide a written evaluation of their experience and provide feedback to the proctor.

A copy of the MOU must be forwarded to Professional Enrichment prior to intern's start date as well as a copy of the intern evaluation after completion. Professional Enrichment shall maintain copies of all internship MOU' s and evaluations as well as a record of all interns in current service.

Recruiting

Offices are encouraged to post available internship opportunities on the MSDH public website.

To advertise an internship on the MSDH web page, complete the *Intern Project Proposal Form,* which is located on the MSDH intranet, under *Forms Human Resources.*

Procedure for Hiring an Intern

I. Once a project has been deemed appropriate for an intern, prepare an announcement for the position and post as appropriate or as needed.

2. Responses to announcements posted on the MSDH web site are received by Professional Enrichment and forwarded to the contact person who posted the announcement.

3. Applicants for intern placement are selected at the discretion of the office that posted the announcement.

4. Once selected, the intern shall provide the required MOU from the educational institution/faculty advisor as described above and agreed upon by all parties.

5. If the intern will be paid or receive reimbursement for travel, a completed MSDH Contract Worker Agreement should be executed. Forms are located on the MSDH intranet at *Forms/Contracts.*

6. Unpaid internships require the prior approval of the MSDH Director of Human Resources to ensure compliance with federal regulations governing use of unpaid student workers. Approval requests should be in writing via memorandum or letter. Each request must include the intern's

name, enrolled academic program and institution, name of the institution's primary program contact, and a complete description of the intern's proposed work assignment or project. As much lead time as possible should be provided for this review, but not less than two-weeks prior to desired internship start date.

7. To obtain access to the MDSH network, identification, and/or telephone access an Information Resource Access Request (Form 907E), also located on the MSDH intranet at *Forms/ Security*. Each intern must complete the same requisite training and policy acknowledgement forms required of MSDH employees and contract workers before being granted network access.

8. Upon completion of the project or term designated by the MOA, collect MSDH identification, any agency property in the possession of the intern, and submit a second Form 907E to terminate network and telephone access.

9. Have the intern complete an evaluation of their experience and relevant feedback. Submit copy of the evaluation to Professional Enrichment.

18.1 Purpose of the Policies and Procedures

The Mississippi State Department of Health (MSDH) Property Management Policies and Procedures provide all units with the information necessary to:

- Determine if anticipated purchases should be classified as property.
- Properly account for the acquisition, movement, and disposition of property.
- Maintain accurate unit and agency property records.
- Comply with state laws and regulations pertaining to property.

18.2 Distribution of the Policies and Procedures

The policies and procedures are distributed to all MSDH District Administrators, Office Directors, and designated individuals in each unit who have been assigned responsibility for property. All recipients should familiarize themselves with the contents of the Administrative Services Manual.

18.3 Functions of the Property Management Office

The Property Management Office is responsible for the following functions related to the acquisition, movement and disposal of property.

- Properly identify and inventory all property acquired by MSDH.
- Report on a timely basis all acquisitions and disposals of property to the Office of the State Auditor.
- Ensure that all acquisitions and disposals of property are handled in accordance with state laws, regulations, and policies governing state property.
- Maintain current, accurate records of all property transfers.
- Perform routine audits of MSDH property and conduct reviews of related operational policies and procedures.
- Provide in-service education to MSDH personnel who have property accountability responsibilities.

18.4 Definitions of Property

Property, for inventory purposes, is all furniture, vehicles, machinery, equipment, and other personal property items that meet the following criteria:

- The acquisition cost of the item is $1000 or more. An item's acquisition cost includes all charges associated with shipping, handling, and installation.
- The item has a useful life expectancy of at least one (1) year.
- The item is not considered to be a repair/replacement part to an existing property item.

The following items must be classified as property and placed on inventory, regardless of the acquisition cost:

- Weapons
- Cameras and Camera Equipment (greater than $250)
- Two-Way Radio Equipment
- Televisions (greater than $250)
- Lawn Maintenance Equipment
- Cellular Telephones
- Computer and Computer Equipment (greater than $250)
- Chain Saws
- Air Compressors
- Welding Machines
- Generators
- Motorized Vehicles

The following items are not classified as property:

- Carpeting (excluding area rugs)
- Draperies
- Plants
- Installed Floor-to-Ceiling Partitions
- Window Shades or Blinds
- Mattresses/Box Springs
- Water Heaters
- Installed Drinking Fountains
- Museum Acquisitions
- Library Books, Films, or Archival Collections

18.5 Recording the Cost of Property Items

All costs associated with the initial acquisition of a property item will be recorded as the total cost of the item when it is placed on inventory. All costs required getting the item in working

condition and location (i.e., cost of negotiations, finders' fees, installation, breaking in, etc.) must be included in the initial acquisition cost of the item. Service, repair, and/or maintenance contract expenses, and the cost of supplies used for the operation of the item are not considered part of the cost.

Items with various components (those that do not operate independently of one another, but as a system) will be assigned one (1) MSDH inventory number. The system and the cost of all the components will be included in the system cost. Special consideration for inventorying and recording the costs of certain property is provided as follows:

Computer Equipment

Each major computer component such as the central processing unit (CPU), monitor, terminal, printer, and external disk drive shall have a unique MSDH inventory number assigned. A personal computer monitor shall not require a unique inventory number, provided it costs less than $500 and remains attached to a CPU. External devices such as the keyboard, modem, mouse, and other light pen devices that cost less than $500 shall not require a unique inventory number. All internal computer components such as network/communication boards, internal modems, etc. shall not require unique inventory numbers; however, the cost of these components must be included with the initial purchase cost of the major computer component.

The unit cost of each subsequent computer upgrade costing $500 or more must be added to the value of the major computer component that has been assigned a unique inventory number (e.g., the price of a network board must be added to the cost of the CPU).

Telephone Systems and Equipment

For an initial telephone system acquisition, one (1) MSDH inventory number will be assigned to the entire system. Individual components (telephone instruments, circuit cards, connectors, etc.) of the system shall not require unique inventory numbers; however, the cost of these components must be included with the initial purchase cost of the telephone system.

Subsequent acquisitions of telephone equipment that cost $500 or more (additional instruments, lines or system enhancements, etc., including installation) may either be treated as upgrades to the telephone system or be placed on inventory as separate items with unique inventory numbers assigned, based upon the information provided to the Property Management Office.

18.6 Property Acquisitions

Purchased Property

All property purchases must be made through the Purchasing Department of the Office of Finance and Accounts in accordance with established MSDH purchasing procedures. Each item purchased will be assigned an inventory control number by the Property Officer and an inventory number bar code decal will be issued to the receiving unit to be affixed to the item.

Donated Property

Items offered to the agency through gift or donation must be reported to the Property Management Office on an *Items to Be Placed on State Inventory* form. These forms are available upon request from the Property Management Office (see Exhibit A). The donor's written offer and documentation supporting the actual cost or fair market value of the property item should be attached to the completed form. If no supporting documentation is available, the reporting unit should provide an explanation of how the estimated fair market value was derived.

Property Transferred from Another State Agency

Property acquired from another State Agency must be reported to the Property Management Office immediately upon receipt of the property. The following documents must be provided to the Property Officer:

- A copy of a properly executed and approved Form CP-2, *Notification of Disposal of Computer/Telecommunications Equipment* (see Exhibit G). A copy of this form should be provided by the transferor to the recipient of the property.

- A copy of the transfer document which itemizes the property being transferred and provides the following information for each item: transferor's inventory number, description, make (manufacturer), serial number, cost, and acquisition date. This document must be signed by an authorized representative of the transferring agency and by an authorized MSDH employee verifying receipt of the property.

Surplus Property

Property may be purchased from Mississippi Surplus Property for the MSDH by its employees who obtain a letter from the Property Officer that authorizes them to purchase property on behalf of the agency. The Property Officer must be notified in advance of the proposed visit to the facility. The authorization letter must be presented to Mississippi Surplus Property upon arrival. Only the individual(s) named in the authorization letter on the specified date may make purchases.
Property acquired from Mississippi Surplus Property must be purchased in accordance with established MSDH purchasing procedures. An item purchased from Surplus Property must be reported to the Property Management Office if it meets the criteria to be classified as property as

noted on page 2 of this section. An item of property acquired from Mississippi Surplus Property is added to inventory at the fair market price, not the purchase price of the item.

Property items acquired through a lease/purchase arrangement must be placed on inventory when the price of the item is paid in full. The price of the item shall exclude any finance or interest charges. MSDH, as well as all other state agencies, is required to maintain a separate listing of all items being purchased through lease/purchase agreements. It is the responsibility of the acquiring unit to maintain the listing of lease/purchase items and to notify the Property Officer when the price is paid in full.

Shop-Made Property

Shop-made property items should be reported to the Property Management Office in the same manner as donated property as noted on pages 4 and 5 of this section.

Personal Property of MSDH Employees

Any employee electing to use privately owned property (furniture, equipment, machinery, etc.) in his/her respective unit must have approval from the unit head. If approval is granted, a yellow "Personal Property" decal must be affixed to each item. These decals are available upon request from the Property Management Office. The decals may only be requested and affixed by those individuals who are responsible for state property in the unit.

Non-Inventoried Property

Items of furniture, equipment, machinery, etc., with an acquisition cost of less than $500 are non-inventoried state property, except those items noted on page 2 of this section that must be included on inventory regardless of cost. A red MSDH identification decal that reads, "Property of Miss. Dept. of Health" must be affixed to each of these items. These decals are available upon request from the Property Management Office.

NOTE: Although non-inventoried items are not "traced" through the Property Management Office, they are State Property nonetheless. Accountability for non-inventoried property is centered at the local or departmental levels. Individuals responsible for property at each location must properly mark all non-inventoried items and authorize any movement or disposition of these items.

18.7 Property Location Codes and Responsibility Assignments

The Property Management Office maintains a Property Location Code Schedule and Responsibility Assignments Listing which identifies all Office, Bureau, Division, Unit, District,

County or other locations where MSDH inventoried property is located. Each location has been assigned a "Location Code" for the purpose of identifying the physical location of each item of inventoried property. The listing also identifies individuals who have been assigned responsibility for all property inventoried to each location.

It is the responsibility of each District Administrator, Office Director, Bureau Director, Division Director or Unit Manager to notify the Property Management Office in writing when any location changes (additions, deletions, or corrections) are needed and when any changes in responsibility assignments occur. The final decision as to revisions, however, will be made by the Property Officer. A copy of the current *Property Location Code Schedule and Responsibility Assignments* listing is available upon request from the Property Officer (see Exhibit B. Note: Exhibit B includes only one page, not all pages, of the listing).

When a change in personnel or responsibility assignment occurs, the outgoing responsible employee and his/her immediate supervisor shall jointly perform a physical inventory of all property assigned to that location before responsibility is relieved from one employee and assumed by another. A printout of items currently inventoried to that location should be requested from the Property Officer. The verified inventory printout should be dated and signed by both the employee and the supervisor. The verified printout should be kept on file at the location for future reference.

When a vacancy occurs in a position of responsibility, property accountability responsibilities are passed up to the immediate supervisor of that position until such time that responsibility is reassigned and the Property Management Office is properly notified.

Property Accountability Responsibilities

Individuals who have been assigned responsibility for property at each location are charged with the following responsibilities:

- Affix MSDH inventory number bar code decals, red MSDH identification decals, or yellow personal property decals to all appropriate items of newly acquired property.

- Ensure that no property is moved from one location to another until property procedures have been followed.

- Complete the required paperwork for the movement and disposal of property.

- Report to the Property Management Office all items that are stolen, lost, or missing along with appropriate supporting documentation.

- Maintain adequate records of all property transactions (e.g., acquisitions, transfers,

disposals).

- Perform a self-audit on the unit's inventoried property when requested by the Property Officer and promptly report any missing items or other discrepancies to the Property Management Office.

- Participate in and assist with all property audits conducted by MSDH Property Management Office staff, Internal Audit Department staff, and/or the State Auditor's Office staff.

Falsification of records, failure to provide required information, or non-compliance with established policies and procedures will result in disciplinary action.

18.8 Assignment of Inventory Numbers

When a property item is acquired by MSDH, the Property Officer will assign a unique MSDH control number (Inventory Number) to that item.

A bar code decal bearing this inventory number will be attached to an *Inventory Number Transmittal* Form (see Exhibit C on page 22 for an example of this form). The decal and the transmittal form will be sent to the individual responsible for property at the location where the item is situated.

The responsible individual must verify the description, serial number, manufacturer, and location of each item listed on the transmittal form. If any information is incorrect, the responsible individual should line through the incorrect information and enter the correct information in RED INK. **A Form 51 Transfer Form must be completed for each item that has a location code change**.

After verifying the information on the transmittal form, the responsible individual must affix the inventory number bar code decal to each appropriate item in a conspicuous place.

Decals should be affixed to items in such a way that they may be easily read by a bar code scanner (which is approximately the same size as a hand-held blow dryer). An item should not have to be moved to locate the inventory number decal. The inventory number should be clearly visible and easily accessible.

After decals have been affixed to the items, the responsible individual must sign and date the transmittal form, make a copy to be retained in the location's property file, and return the original to the Property Officer **within 30 days of receipt.**

18.9 Placement of Inventory Number Bar Code Decals

- **Equipment (Computers, Typewriters, Appliances, Televisions, VCRs, etc.)** - Bar code inventory number decals should be placed on the front (facing the user) nearest the manufacturer's logo. If no manufacturer's logo is evident, decals should be placed on the front (facing the user) upper left corner unless otherwise directed by the Property Officer.

- **Furniture** - Decals should be placed on the front (facing the user) upper left corner unless otherwise directed by the Property Officer.

- **Vehicles** - Decals should be placed inside the driver's side door, above the latch mechanism and manufacturer's identification decal.

- **Mobile Radios** - Decals should be placed on the visible side of the control head.

- **Cellular Telephones** - Decals should be placed on a part of the cell phone that will not be held regularly. Constant handling will wear down the inventory number and make it unreadable by the bar code scanner. If necessary, place the bar code in a hidden area of the cell phone which is typically the area that holds the battery. Be careful to not cover the serial number or other related information.

- **Cameras, Cassette Recorders, and Other Small Handheld Devices** - Decals should be placed on the most accessible and visible surface.

- **Lawn Maintenance Equipment** - Decals should be placed on the most accessible and visible surface.

Decals should be placed on clean, dry surfaces. **Inventory numbers should also be written on all items with a black permanent marker.** The Property Officer should be notified immediately if a bar code decal is lost or inadvertently removed from an item. A duplicate replacement decal will be provided.

18.10 Movement of Property

Authorized Moves

No item of property may be moved from its assigned location without proper authorization. Any employee who does so is subject to disciplinary action (see page 21). Only the individual responsible for property may authorize the movement of property.

Permanent Transfers

When an item is moved permanently from its assigned location to another location, a *Property Transfer/Location Change Form* (Form 51) must be completed (see Exhibit D for an example of this form).

The Form 51 should be completed as follows:

- Enter the date of the transfer.
- Enter an (X) in the space provided for a "Permanent Assignment".
- Enter the item's correct description, inventory number, make, and serial number. This information should be entered exactly as it appears on the assigned location's inventory printout.
- Enter the "Transferred From" location name and location code exactly as they appear on the Property Location Code Schedule and Responsibility Assignments Listing.
- The "Transfer Authorized By" section is for the signature of the individual responsible for property at the assigned location. **Only the signature of the responsible individual or his/her supervisor will be accepted as authorized for the transfer.**
- Enter the "Transferred To" location name and location code exactly as they appear on the Property Location Code Schedule and Responsibility Assignments Listing.
- Enter the name of the person physically transporting the property to its new location.
- The "Receipt of Transfer" section should be completed by the individual responsible for property at the new location.
- Enter the actual physical location of the item in the "Property Located At" section (e.g., Property Management Office, Room 262, Underwood Building).

Only the signature of the responsible individual or his/her supervisor will be accepted on the receipt of transfer.

The following procedures apply to all Form 51's:

- A separate Form 51 must be completed for each individual item of property being transferred.
- It is the responsibility of the person authorizing the transfer to obtain the signature of the

person receiving the property.

- Both the transferor and the transferee should retain completed copies in their property files.

- The original of the completed Form 51 should be submitted by the transferor to the Property Officer in order for the transfer to be processed.

18.11 Loans

Temporary Moves

When an item is moved temporarily (90 days or less) from its assigned location to another location, the same procedure should be followed as those for a permanent transfer with the following exceptions:

- The Form 51 should be marked "Loan" instead of "Permanent Transfer."

- A Form 51 marked "Return" should be completed when the item is returned to its assigned location.
- The Form 51 should NOT be submitted to the Property Officer.

Loans to Employees

Any MSDH employee who takes into his/her personal possession any item of property for the performance of assigned duties and/or removes any item from MSDH premises for any purpose must have authorization to do so and must accept responsibility for the item while in his/her possession. A Form 51 "Loan" must be signed by the individual responsible for property at the location from which the item is being loaned and it must be signed by the employee taking possession of the item. If an item is loaned to an individual who is assigned responsibility for property at that location, then the individual's supervisor must sign the Form 51 authorizing the loan.

At the beginning of the calendar year, if an item remains on loan to an employee, a new Form 51 loan document must be completed. The same procedures should be followed as those noted above for temporary moves.

If an item is loaned to more than one employee on a routine basis (e.g., daily, weekly, etc.), a sign in/out log may be used. The use of such a log must be approved by the supervisor and the log must be maintained by the individual responsible for property at the affected location. The log should include the following for each property item: date signed out, inventory number,

description, serial number, employee's name, and date returned. The employee must sign the log when the item is received as well as when the item is returned. Each page of the log should include the following statement "I acknowledge receipt of the property noted and accept responsibility for it while it is in my possession."

NOTE: MSDH PROPERTY MAY BE LOANED TO AN EMPLOYEE ONLY FOR THE PURPOSE OF CONDUCTING OFFICIAL AGENCY BUSINESS. PERSONAL USE OF MSDH PROPERTY IS PROHIBITED.

Loans Outside MSDH

If an item of property is loaned to any individual or entity outside the agency, a Form 51 "Loan" must be signed by:

- The individual responsible for property at the location from which the item is loaned;
- The individual authorized to take possession of the item; and,
- The Property Officer, either approving or disapproving the loan (see Exhibit E for an example of this form).

At the beginning of the calendar year, if an item remains on loan outside the agency, a new Form 51 loan document must be completed. When the item is returned to MSDH, a "Return" Form 51 should be completed and signed by the appropriate individuals, and a copy should be submitted to the Property Officer.

18.12 Disposal of Property

No inventoried property may be discarded, donated to others, traded in, sold, or disposed of in any manner without prior authority and instructions from the Property Officer. Disposal procedures for all MSDH property shall be consistent with regulations, policies, and procedures established by the Office of the State Auditor.

18.13 Property to be Salvaged

When an inventoried item becomes obsolete, or is broken/worn beyond economical repair, and is of no further value or use to the agency, the item should be salvaged. The following procedures should be followed to salvage an item:

- A written request to salvage the item should be submitted to the Property Officer by the individual responsible for the property. Requests to salvage computer/telecommunications

equipment should be submitted separately from other property salvage requests.

- The request should include: The description of the item (as it appears on the location's inventory printout), the inventory number of the item, the date the item was purchased, the cost of the item, and the reason for the request (broken, worn, obsolete, etc.).

- When multiple items are included in a salvage request, the items should be listed in numeric order by inventory number.
- The Property Officer will prepare the appropriate disposal form as follows: Form 961 - *Property Salvage Report* - is completed for all property items other than computer and telecommunications equipment (see Exhibit F for an example of this form).

Form CP-2 - *State Auditor's Office Notification of Disposal of Computer/Telecommunications Equipment* is completed for all computer and telecommunications equipment (see Exhibit G for an example of this form).

- The Property Officer will send the disposal form (Form 961 or Form CP-2) and supporting documentation (salvage request memo) to the Salvage Committee for review/approval.

- Upon receipt of a disposal form, Salvage Committee members may physically inspect the property listed on the disposal form to verify its condition. If the Salvage Committee approves the disposal, the form should be signed by all committee members and returned, along with the supporting documentation, to the Property Officer. If the Salvage Committee disapproves of the disposal, "Disapproved" should be written in red on the disposal form and it should be returned, along with a memo of explanation for the disapproval, to the Property Officer.

- The Property Officer will delete from inventory all items approved for disposal by the Salvage Committee.

- A copy of the disposal form will be sent to the individual responsible for property who initiated the salvage request. The copy will have stamped on it in red the date the item was deleted from inventory and the Report Number (State Auditor's Report) of the deletion. **Salvaged items must be properly disposed of within thirty (30) days after receipt of the approved disposal form.**

The following procedures should be followed to properly dispose of salvaged property items.

- Items containing refrigerants (refrigerators, freezers, coolers, air conditioners, etc.) must have the refrigerants and/or oils removed by a certified technician before they may be disposed of. See Exhibit H (1), *Procedures for Disposal of Salvaged Items Containing*

Refrigerants, and Exhibit H (2), *Certification of Removal of Refrigerants/Oils*.

- Inventory numbers and any other markings that identify the items as MSDH property should be removed.

- The items should be rendered unusable. For example, the electrical cords on typewriters, calculators, etc. should be cut.)

- Items should be disposed of in a landfill. Small items may be disposed of in a dumpster.

18.14 Property to be "Scrapped for Parts"

When a property item is no longer usable in its present condition, but its parts may be used to repair other items, then that item may be "scrapped for parts." The same procedure should be followed as those for property to be salvaged except that the memo requesting salvage should indicate that the item is to be "scrapped for parts."

18.15 Surplus Property

When an item of property becomes obsolete or is no longer needed at a particular location, but is in good working condition, the following steps should be taken:

- Efforts should be made to determine if the item can be used at another location within the agency. (Note: An effective way to do this is to broadcast an E-Mail message to all Office Directors and District Administrators.)

- If the item can be used elsewhere within the agency, it should be properly transferred to the new location.

- If the item cannot be used elsewhere in the agency, a written request should be submitted to the Property Officer indicating that the item is no longer needed by the agency and should be properly disposed of as surplus property.

The Property Officer will handle the disposition of all surplus property in accordance with state laws, regulations, and policies governing such property.

18.16 Missing or Stolen Property

A property item that has mysteriously disappeared or has been stolen must be reported immediately to the appropriate law enforcement officials (e.g., Local Police Department). **Underwood Complex locations must contact the Property Office and the Property Officer**

will contact Capital Police. A copy of the incident report and a memo detailing the incident must be provided promptly to the Property Officer by the individual responsible for property at the affected location.

The responsible individual may be held financially accountable if the missing/stolen property item is not reported promptly and correctly.

The Property Officer will complete a *Lost or Stolen Property Affidavit* and send it to the responsible individual. The affidavit must be signed by the responsible individual, notarized, and returned to the Property Officer.

Upon acceptance and approval of the affidavit by the State Health Officer, the Property Officer, and the Salvage Committee, the missing or stolen item will be deleted from inventory.

In the event that the item is recovered or found subsequent to its deletion from inventory, the Property Officer should be notified in writing in order that the item may be reinstated on inventory.

18.17 Property to be Transferred, Sold, or Traded

Transfer of Property Outside MSDH

A property item may be transferred to another state agency, institution, or any political subdivision or local governing authority of the state. However, a written request must be submitted by the individual responsible for the property to the Property Officer for approval before the transfer may take place. The Property Officer will provide instructions for completing the transfer.

Sale of Property

The Property Officer is the only individual authorized to negotiate sales of MSDH property in accordance with state laws and regulations governing such transactions. Sales of MSDH property may be accomplished only by public auction, sealed bid, or private treaty negotiated sales.

NOTE: NO MSDH PROPERTY MAY BE SOLD TO OR GIVEN TO AN EMPLOYEE.

Trade-In of Property

All trade-ins of property must be handled in accordance with established MSDH purchasing procedures. MSDH's Purchasing Office must be contacted regarding the purchasing procedures

for the new property item including the trade-in.

The Property Management Office will handle the approval of the trade-in, report the deletion of the traded-in item from inventory, and account for the addition of the new item to inventory. The amount paid for the new item plus the amount of the trade-in allowance will be used to determine the "cost" of the new item.

All transfers, sales, and trade-ins of MSDH property must be approved either by the Office of Purchasing and Travel (Department of Finance and Administration) and/or by the Division of Property Control (Department of Audit). The Property Officer will prepare and submit appropriate forms for approval of all such transactions.

18.18 Physical Inventories

Annual Inventory Verification (Self-Audit)

The Office of the State Auditor requires that a physical verification (self-audit) of all inventoried property be conducted annually. It is recommended that a self-audit be performed at least twice per year. The Property Officer will notify responsible individuals when the inventories must be made and provide current inventory listings for each location, along with specific instructions for completing the inventories.

Liability for Failure to Make Inventory

Section 29-9-17, Mississippi Code of 1972, Annotated, states that if any officer or employee of any state agency shall refuse or fail to make any inventory in the manner prescribed by the State Auditor, the State Auditor shall proceed to make, or cause to be made, the inventory, and the expense shall be personally borne by said employee, and he/she shall be responsible on his official bond for payment of the expenses.
In addition, any MSDH officer or employee who refuses or fails to make the inventory in the required manner within the established time frame shall be subject to disciplinary action.

18.19 Property Audits

Internal Audits

Internal Audits will be conducted on a periodic basis by the Property Management Office and the Office of Internal Audit. The purpose of these audits is to document that all MSDH inventories are current, to ensure that all property is accounted for, and to verify compliance with established property management policies and procedures. Routine property audits will be scheduled in advance; however, any MSDH location is subject to an unannounced audit at the discretion of the State Health Officer, the Internal Auditor, or the Property Officer. The following procedures

will apply to routine audits conducted by the Property Management Office:

- The Property Officer will notify the individual responsible for property of the scheduled audit date and time.

- On the day of the audit, the responsible individual shall accompany the auditor. The responsible individual shall locate and identify all property items while the auditor verifies each item, using either a bar code scanner or a current inventory printout for the location.
- During the audit, the auditor will note any missing items as well as any items found that are not included on the location's current inventory. The auditor may affix red MSDH identification decals to appropriate non-inventoried property items and yellow decals to personal property items, if needed.

- When the audit is completed, the auditor will conduct an informal exit conference with the responsible individual to review audit findings and discuss recommendations.

- Subsequent to the audit, the Property Officer will prepare a written report of findings detailing all audit exceptions and recommendations. The audit report will be submitted to the Office Director or District Administrator who has jurisdiction over the audited location and a copy of the report will be sent to the responsible individual.

- The Office Director or District Administrator must provide a written response to the Property Officer within 30 days after receipt of the audit report. The response must address each noted finding and indicate accomplishment of or compliance with all audit recommendations or state the reasons such compliance has not been accomplished.

- Any unresolved discrepancies will be reported by the Property Officer to the State Health Officer. Failure to appropriately address all audit exceptions and recommendations within the established time frame will constitute non- compliance with established policies and procedures and will be subject to disciplinary action.

Financial Responsibility for Missing Items

- In the event that a property audit identifies an item as missing or otherwise unaccounted for, MSDH has the authority to recover the value of the missing item in accordance with the laws of the State of Mississippi. The demand for payment will be made by the State Health Officer against the Office Director, District Administrator, or other appropriate supervisory staff who has jurisdiction over the location from which the item is missing and/or the individual who has been assigned responsibility for the item.

- In the event of theft or mysterious disappearance, the financial responsibility is removed if there is documentation that the item was immediately reported to appropriate law enforcement officials at the time the item was discovered missing, and was promptly reported to the Property Management Office in the proper manner.

- If an item assigned to an employee is lost or stolen due to the employee's negligence or failure to follow correct procedures, the employee is financially responsible for the value of the missing items.

  The Office Director, District Administrator or other appropriate supervisory staff member who has jurisdiction over the employee is responsible for recovering the funds from the employee and following the procedures for reporting missing or stolen property.

18.20 State Audits

The Office of the State Auditor will conduct periodic audits to physically verify inventoried property items. The MSDH Property Management Office will coordinate all state property audits. All Office Directors, District Administrators, and individuals responsible for property will be notified of pending audits and will be provided specific written instructions for completing the audit. Failure to follow instructions or to complete the audit in the prescribed manner will result in disciplinary action (see below).

In the event that any items are missing or otherwise unaccounted for during an audit, the State Auditor has the authority under provisions of Section 7-7-211, Mississippi Code of 1972, and Annotated, to recover the value of missing items. The demand for payment shall be made against the head of the agency, the agency's Property Officer, and/or other officer or employee, if identified.

18.21 Disciplinary Action

Failure to comply with property management policies and procedures, as detailed in this manual, shall constitute a Group Two Offense and shall result in the appropriate disciplinary and corrective action as outlined in Section 9.0 of the Mississippi State Personnel Board Policy and Procedures Manual.

19.1 Purpose

The purpose of this plan is to establish the guidelines and processes for a performance management system within the MS State Department of Health (MSDH). The plan is designed to advance quality and performance improvement culture within the department. It also provides avenues for leadership and staff to individually and collectively improve the services available to the citizens of Mississippi.

19.2 Background

The state operates one, centralized Department of Health. There are no local health departments, as such. Instead the Mississippi State Department of Health has offices spread throughout the state's 82 counties. For organizational purposes, the state is divided into 9 Public Health Districts. Each district consists of 6 to 11 adjoining counties. Oversight at the district level is the responsibility of a District Health Officer and a District Administrator, each providing public health and administrative leadership, respectively. Department wide, and therefore statewide, leadership and guidance is centrally located in the metro-Jackson area. Communication is accomplished by electronic means, as well as, regularly held district staff meetings. During district staff meetings, district and county level staff are brought together for training and information sharing across program areas. This assures that staff serving in statewide locations is kept up to date on public health and administrative issues. The performance management system is designed to accommodate this geographically large area with staff of diverse backgrounds and levels of expertise.

19.3 Policy

19.3.1 Scope

This policy, which MSDH has adopted and will maintain, covers the four components of a performance management system: 1) Performance Standards; 2) Performance Measurement; 3) the Reporting of Performance; 4) Performance Improvement Efforts, referring to Continuous Quality Improvement activities. These components will be used and monitored to manage performance within the agency, as well as activities with external partners.

As the agency increases the use of data for strategic planning and staff development, the performance management system will evolve and improve to meet the agency's needs.

19.3.2 Definitions

Accreditation	This refers to the measurement of health department performance against a set of nationally recognized, practice-focused and evidence-based standards. The goal of the national accreditation program is to improve and protect the health of the public by advancing the quality and performance of tribal, state, local and territorial public health departments. Agencies undertake a rigorous, seven step process to become accredited, including demonstrating excellence across 12 domains and over 100 individual standards. The accreditation process is administered by the Public Health Accreditation Board (PHAB).
Performance Management System	This is the business model for all operations. It has 4 components, based on the Turning Point Model—Performance Standards, Performance Measures, Reporting Progress, and Quality Improvement.
Vision, Mission, Services and Goals (VMSG) or Dashboard	This refers to the online performance measurement system adopted by the agency to input and report on performance data. It assesses achievement of established performance standards and goals.
Performance Management:	This refers to the practice of actively using performance data to improve the public's health by means of performance standards, measures, progress reports and ongoing quality improvement efforts to ensure MSDH achieves desired results.
Advisory Group	The role of the Advisory Group is to oversee PHAB Accreditation and State Health Improvement Plan activities, ensuring forward progress and compliance with the timeline established by the Office of Performance Improvement.

Quality Improvement	This refers to a systematic approach to improve processes involved in producing services or products. Within public health, quality improvement is focused on activities responsive to community needs and improving population health. This involves a continuous, ongoing effort to achieve measurable improvements in the quality of services for achieving equity and improving the health of the community.
Quality Improvement Council (QIC)	The Quality Improvement Council (QIC) is comprised of the agency's senior leaders and the Director of Quality Improvement. The role of the QIC is to identify, review, and prioritize QI projects; provide guidance and technical assistance to staff engaged in QI projects; annually review the agency QI plan and revise it as necessary; plan for the QI training needs of agency staff and ensure that resources are available; communicate with staff, leadership, and governing bodies about QI efforts; as well as review and approve performance improvement measures for electronic tracking as requested.

19.4 Procedures

19.4.1 Performance Standards

Performance standards are established by each program, and closely tied to the established national standards of their funding sources (e.g. CDC and HRSA). Other resources for performance standards include Healthy People 2019, the National Public Health Performance Standards Program, Health Disparities and Inequities Report, PHAB Standards and Measures for Accreditation, and Building a Better Mississippi. Overarching agency-specific performance standards are located in the agency's Strategic Plan, along with their specific goals, objectives, targets and indicators. In addition to these standards, the goals and objectives of the State Health Improvement Plan will be maintained in the performance measurement system, VMSG [Section 19.4.2], to help facilitate plan execution and status monitoring. The QI Council, which is comprised of the agency's senior leaders, will provide guidance on the prioritization of standards as needed. All programs will identify at least one standard of care or practice to which they will measure their performance against at least annually.

19.4.2 Performance Measurement

VMSG Performance Measures

In July 2015, the Office of Performance Improvement purchased licenses for an online performance measurement system, Vision, Mission, Services and Goal (VMSG). The performance measurement system is a hierarchal system that allows for extensive organization and correlation of program areas and their performance measures. These measures can be tagged with appropriate national standards, agency plans, and strategic goals to help make connections between these numerous documents and program areas. VMSG contains all relevant performance measures that facilitate the achievement of these established standards and goals. The agency requires at least one performance measure per office (28 offices), and recommends that data be updated on a quarterly basis. It is recommended that programs track outcome measures. However, some offices can only measure process, relying on nationally collected data to measure outcomes. The Office of Performance Improvement is responsible for working with programs and their primary VMSG users to help identify or create performance measures with available data for reporting.

VMSG Users

Each member of the QI Council has identified a primary user for VMSG. These users have completed at least one face-to-face training by the VMSG Administrator, and have been provided with external training resources. Additional training was given to these users to facilitate the use of logic models for performance measure creation. These primary users are responsible for submitting new measures to the VMSG Administrator for entry, and are responsible for updating the measures as frequently as possible.

Measure Selection

All measures tracked in VMSG must be approved by the QI Council. Review and approval can take place outside of quarterly meetings in order to avoid delays in data collection and monitoring. The Office of Performance Improvement created a form and instructions, Form 1014, for use in designing and submitting measures for approval. The form captures information on the measure's position in the system hierarchy, the applicable standard it addresses, baseline data and data sources, frequency of measurement and reporting, and key staff responsible.

19.4.3 Progress Reporting

Frequency

Reports on measures are sent to the QI Council, upon entry into VMSG, and then again bi-annually. More frequent reports will be made available upon request, especially during strategic planning activities.

Format

Reports can be created in a number of ways including by: program, goal, Public Health Essential Service, Strategic Plan objective, compliance with objective, measure owner or lead, or due date. For the first year of implementation, standard reports will be provided to the QI Council by program only, unless requested otherwise. Measures can be trended to show movement towards or away from an established goal, and measurable objectives can be displayed with the process measures that facilitate their achievement for closer analysis.

Communication

Agency-wide reports on performance measures by program and by plan (Strategic Plan and State Health Improvement Plan) will be posted to the agency's Intranet bi-annually, in coordination with the reports submitted to the QI Council. Via email, agency staff will be alerted to the availability and location of these reports. The agency's senior leadership team is encouraged to share reports with outside partners, including other public health agencies and the state legislature. QI projects which have completed the Plan, Do, Study, Act (PDSA) cycle will be encouraged to create storyboards, including their performance measures, for display in the Central Office and/or their district location. The Office of Performance Improvement will maintain copies of all reports and storyboards to fulfill requests for information.

19.4.4 Performance Management for Continuous Quality Improvement

As part of the Turning Point Model for performance management, the Office of Performance Improvement will closely monitor data trends to suggest QI intervention in response to stagnant or declining performance. These recommendations will be made to the QI Council during one of its quarterly meetings, and projects may be initiated according to the current QI Plan. All projects must include at least one performance measure each, specific to the projects' tested intervention. During the AIM Statement development meeting, the VMSG Administrator or proxy will meet with the team to provide training on the measurement system and guidance in selecting a measureable AIM. QI project data may require more frequent measurement, and reports will be created to share with the QI Council, executive sponsor, and the project team as needed. The QI Council has discretion regarding which measures shall be made publically available to showcase improvements made.