

State of Ohio

Personnel Action Decentralization Procedures Manual

OhioDAS

Department of Administrative Services
Human Resources Division
Human Resources Support Services
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ATTACHMENTS:

- A. CERTIFICATION CHECKLIST (Attachment A)
- B. DAS ANALYST CONTACTS (Attachment J)
- C. CERTIFICATION DOCUMENT (Attachment D)
- D. COMPLIANCE REVIEW DOCUMENT (Attachment E)
- E. REQUEST FOR CERTIFICATION MEMORANDUM (Attachment C)

STATE OF OHIO
Department of Administrative Services
Human Resources Division
State Services Section

PERSONNEL ACTION DECENTRALIZATION PROCEDURES MANUAL

Mission and Overview

It is the mission of the Human Resources Support Center to provide quality services, foster partnerships, and continuously improve the State of Ohio's Human Resource system for the efficient and effective operation of government. Personnel Action (PA) decentralization is one of many initiatives to streamline human resource functions.

The intent of decentralization is to make the PA process more responsive to the needs of state agencies. Decentralization places the authority and responsibility for individual personnel decisions with the decentralized agency. The Ohio Revised Code (ORC) supports this initiative. Section 124.04(M) of the ORC provides, in relevant part, that:

“The director of Administrative Services may delegate any of the powers, functions, or duties granted or assigned to him under this chapter to any other State agency as he considers necessary.”

Introduction

Under PA decentralization, agencies will be taking on new and important responsibilities. Decentralized agencies have the ability to determine how quickly PAs are processed. Agencies assume responsibility for dealing with bargaining unit situations during the PA process. Agency labor relations' officers should be involved in PA processing issues such as: grievance settlements, memorandums of understanding, reinstatements, and clarification of contract issues. Various provisions of collective bargaining agreements must be taken into consideration as well.

The agency is responsible for ensuring on-line changes made to PAs are accepted by the Office of Budget and Management (OBM). It will be necessary for the agency fiscal and human resources offices to work together to contact OBM to ensure that the fiscal aspects of entering a PA are appropriate and will be accepted on the system. When difficulty

occurs entering a PA, the agency contacts OBM to ensure that the fiscal aspects are appropriate.

It is also important to ensure that written, internal procedures for processing PAs are in place and reviewed by all appropriate parties. Without a third-party review of PAs, the potential for abuse can increase and must be guarded against. The human resources staff must work closely with the agency's fiscal and legal offices throughout the PA process.

GENERAL DECENTRALIZATION TIMETABLE

Initial Presentation. Sessions regarding decentralization will be held with agency HR administrators and staff from each agency with primary responsibility for processing PAs. Information will be presented on how an agency is to prepare for PA decentralization and what the roles of the agency and DAS will be.

Written material will be distributed including: certification checklist, and forms to return to the DAS Human Resource Support Services requesting certification to decentralize.

The Decentralization Process

Prior to Submitting a Request for Decentralization

A certification checklist was developed to assist agencies in preparing for PA decentralization. A copy of the checklist can be found in Appendix A for your convenience. The checklist should be used by the agency to determine the agency's readiness to decentralize. DAS will utilize the information on the checklist to prepare the State Services Report and to verify an agency's readiness to decentralize.

Submitting a Request for Decentralization

Agencies must submit the "Request for Certification" memorandum (Appendix C) along with the information requested on the initial certification checklist, to the Division of Human Resources, Human Resource Support Services, at the following location:

30 East Broad Street, 28th Floor
Columbus, Ohio 43215

Ensure that the information submitted is complete. Incomplete information submitted will be returned to the agency for completion. After the agency completes the incomplete material, the request should be re-submitted. In such a case, the approval of decentralization may be delayed, as the re-submission date will be used for determining the order in which the agency request is processed.

AGENCY POLICY AND PROCEDURES: After reviewing the checklist, agency personnel should draft a written policy of internal procedures for the processing and approving of personnel actions. DAS suggests that the policy cover the entire spectrum of PA processing within the agency, so that it will be easily accessible to human resource administrators and employees. Policies should include the following information:

- A general agency summary of the process, in narrative format or a flow chart, from initiation point to final approval.
- Document tracking.
- Procedure for error correction.
- Information regarding maintenance of records.
- Identification of who is accountable for the policy to ensure that the policy is properly followed.
- A statement of intent indicating that the agency will continue to be in compliance with all elements of the Ohio Revised Code, directives set by the Governor's Office, and DAS directives regarding PA processing and approval.

DAS, working in collaboration with agency representatives, will ensure that the agency's policy provides for the proper processing and approval of PAs and all attachments.

DAS Review and Processing of an Application for Decentralization

Training. In order to receive certification to decentralize, all agency human resources staff involved in the processing of PA's must attend this training. Training sessions will be conducted in a small, individualized format with an average of 10-15 participants per session. The following information will be covered in these sessions:

- Review of the PA decentralization process and the changes that will take place at the agency and DAS levels;
- Required materials;
- How to prepare a PA;
- How to interpret minimum qualifications; and
- The data entry and approval procedures.

Agency representatives should contact Human Resource Support Services at (614) 466-4194 to schedule training sessions.

Legal Responsibility

Once the Certification Document for decentralization is issued, agencies assume a greater portion of legal responsibilities associated with the approval of agency PAs. This responsibility cannot be over emphasized. For your review, a copy of the Certification Document can be found in Appendix D.

Agencies will continue to be responsible for compliance with bargaining unit contracts, the Ohio Revised Code and the Ohio Civil Service Laws and Rules. The liability of the

appointing authority of an agency for knowingly mis-appointing an employee is stated in Section 124.62 of the Ohio Revised Code.

“After a rule has been duly established and published by the director of administrative services or by any municipal or civil service township civil service commission according to this chapter, no person shall make an appointment to office or select a person for employment contrary to such rule, or willfully refuse or neglect to comply with or to conform to the sections of this chapter, or willfully violate any of the sections. If any person who is convicted of violating this section holds any public office or place of public employment, such office or position shall by virtue of such conviction be rendered vacant.”

Section 124.56 of the Ohio Revised Code states:

“When the state personnel board of review or a municipal or civil service township civil service commission has any reason to believe that any officer, board, commission, head of a department, or person having the power of appointment, layoff, suspension, or removal, has abused such power by making an appointment, layoff, reduction, suspension, or removal of an employee under his or their jurisdiction in violation of this chapter of the Revised Code, the board or commission shall make an investigation, and if it finds that a violation of this chapter, or the intent and spirit of this chapter has occurred, it shall make a report to the governor...who may remove forthwith any such guilty officer, board, commission, head of department, or person. The officer or employee shall first be given an opportunity to be publicly heard in person or by counsel in his own defense. The action of removal by the governor...is final, except as otherwise provided in this chapter of the Revised Code.”

These sections of the code make it very clear that approving personnel issues is a task not to be taken lightly. It is imperative that your agency director’s office, legal office, fiscal office and human resources office work closely to follow the stated laws and rules and maintain open lines of communication in this process.

Under civil service law, DAS has always been a strong policy authority regarding State of Ohio personnel practices. With decentralization, DAS delegates significant authority and responsibility to the agencies, but will retain overall authority ensuring that the Civil Service Laws are maintained consistently throughout all state agencies.

Agency Responsibilities

- **Updated Documentation.** When changes in agency administration occur, a meeting with State Services should be initiated by the agency. The meeting provides the new administration with a review of the process and DAS with the updated information for the new certification document.

- **PA Preparation.** PAs must be prepared in accordance with the PA manual distributed by the DAS, State Services Section. Agencies will also need to ensure that the proper signatures (specified in your agency's internal procedures) are on the PA.
- **Setting Effective Dates.** The same guidelines currently used for setting effective dates should continue to be followed. Agencies are encouraged to use an internal time stamp and have a specific section in their policy that states how effective dates will be set and who will be responsible for ensuring it is done correctly. In order to keep payroll processing simplified, changes (excluding appointments), transfers between agencies, and separations will continue to take place on the first day of a pay period.
- **Minimum Qualifications.** According to Section 124.30 (A) of the Ohio Revised Code a person must be certified by the director as qualified. Proper verification of an applicant's minimum qualifications should be done by comparing the applicant's training and experience to the requirement outlined on the classification specification for the position to which he or she is being appointed.

Prior to entering PA information on-line and assigning effective dates, as applicable, the following steps should be taken:

- **Background Checks.** Ensure that background check forms for unclassified new appointments, transfers between agencies, and changes from the classified service to unclassified service have been completed, submitted to the Department of Public Safety, and approved. Any questions regarding background checks should be directed to the Assistant Director's office at the Department of Public Safety.
- **Drug Tests.** Ensure that drug tests are completed for new unclassified appointments and positions designated as safety sensitive. Any questions regarding this matter should be directed to DAS', Office of Drug-Free Workplace Program.
- **Certification.** Certain PAs (New Hires, Promotions, Demotions, Laterals, Transfers within and between agencies, Civil Service Status Changes, Appointment Changes, Displacements, Position Changes [only if headquarters county changes], County Changes, Rehires, Recall and reemployment from layoff) must be routed to the Certification unit in DAS. (Refer to Appendix F for a detailed description of PA codes). Agency's may deliver these PAs to the certification box in the mailroom on the 29th floor. The PAs will be processed and returned by inter-office mail. Once delivered to the Certification Services Unit, PAs should be returned to the agency within three (3) working days. Documentation of the approval from the Certification Services Unit must be in the employee's folder.
- **Advance Step Hires.** Ensure that advance step hires are reviewed and approved by the employee designated by your agency appointing authority. It is the agencies responsibility to ensure that all criteria are met when granting advance step hire approval. Refer to DAS Directive 05 (Appendix G) and the Advance Step Check list (Appendix H) for further details. A file should be kept at the agency level documenting all advance steps that are granted. This will be examined during the DAS compliance reviews.

- **Verification of Nursing Licenses.** Ensuring Nurses licenses are active can be accomplished by going to the Nursing Board Website (<http://license.ohio.gov/lookup/default.asp>). Proof of verification must accompany the PA. A comment in the remarks section of the PA or printing the on-line verification and attaching to the PA are both acceptable forms of verification.
- **Verification of Prior Service Credit.** Submit information to DAS, State Services Section regarding prior service credit (Personnel Action and Verification Letter). DAS, Human Resource Support Services will verify the service credit and enter in OAKS Job Data.
- **PA Computer Entering.** Training on data entering of PAs will be provided by the DAS, Human Resource Support Services.
- **Payroll.** A PA has to be posted to the computer before the payroll entry can be approved, otherwise, the payroll entry for that activity may not be processed. The accuracy of PA posting to the OAKS System becomes the agency's responsibility.
- **Record Keeping (PA Verification).** Original copies of all processed PAs and proper attachments must be submitted to the Human Resource Support Services for monitoring. The Human Resource Support Services will forward this information to the State Records Room for imaging and storage.
- **(Other Documentation).** Agencies must keep the initial PA decentralization certification information (table of organization, appointing authority signature, PA Log and code authority information) and the agency's internal policy and procedures updated and accessible. When DAS completes a compliance review, this information will be reviewed to ensure that it is current.

This list of agency responsibilities is not all-inclusive, but is intended to provide some of the major issues of importance associated with decentralized PA processing. For questions regarding these new responsibilities, please contact the assigned human resources analyst for your agency (Appendix J).

DAS - HUMAN RESOURCES RESPONSIBILITIES

DAS staff will adjust their roles to those of consultants and advisors to assist your agency in processing PAs that are correct and consistent. In addition, the staff in the Human Resource Support Services will continue to be responsible for the following functions:

- **Calculating, approving and processing prior service time.** In order to maintain consistency throughout state agencies in regard to granting prior service time, this process will continue to be handled by the DAS, Human Resource Support Services.
- **Assistance with Layoffs.** Human Resource Support Services' staff will continue with the current procedure in assisting agencies with processing layoffs.

Under the decentralized PA process, the Human Resource Support Services' analyst's role will expand to include the following areas:

- **Training.** Training will be presented from the Human Resource Support Services in every aspect of PA processing. All new personnel who will be involved in the PA process should participate in PA training within the 30 days following their hire date. The following list identifies several areas in which DAS will provide training:
 - Familiarizing agency HR staff with the new decentralized process; how roles will change within the agency level, as well as, at the DAS level.
 - How to properly prepare a PA, including information such as: what attachments are necessary and why, how to set effective dates, how to ensure that the proper step and bargaining unit information is included, etc.
 - Minimum qualification training, in conjunction with DAS' Classification and Compensation unit, which will provide a review on specific issues such as determining equivalencies, qualifiers, and undergraduate course work.
 - Technical training for entering data into the computer when assuming the responsibilities of PA processing and approval.

- **Consultation.** Agency specific training can be developed that will focus on the major content difficulties your agency deals with based on your agency's initial DAS report. The State Services analysts, upon request of the agency, can provide this training on-site. In addition, our analysts have in-depth technical knowledge regarding the processing of PA's and will continue to be available to provide consultation. We hope that you will use the analysts in this capacity.

Human Resource Support Services' analysts will be available to provide explanations and/or suggestions both in oral and written form regarding whether or not the issue in question is proper procedure. (E.g. whether an employee meets minimum qualifications, whether an effective date should be changed, etc.)

With decentralization of the PA process, DAS analysts will not be required to manually approve every PA. More time will be available for them to act as your technical advisor to assist you with your agency's process.

The Department of Administrative Services looks forward to working with you, our customer agencies, to successfully implement the PA decentralization program. DAS is committed to meeting the needs of our customers. We will continue to be available to provide assistance in any way possible. Please contact us whenever necessary, and provide us with any comments you may have that may improve our services to you.

SIGNATURE AUTHORITY

A separate document should be developed and maintained at the agency stating the name of the appointing authority and listing all employees who will have signature authority for

PAs. This information must be included with the agency documentation when submitting the request to DAS to decentralize.

ACTION/PENALTY

DAS In-House Monitoring. After the certification process is complete, DAS will closely monitor selected PAs during the agencies initial six months of PA decentralization. The staff in the Human Resource Support Services will monitor an agency's processing of PAs in a number of ways. The monitoring functions may include, but are not limited to, review of requests for special checks and review of selected PAs, as they are submitted. This will allow Human Resource Support Services staff to immediately alert the agency to problem areas that may cause difficulties in the future.

After six months, the agency's PA decentralization process will be periodically monitored by randomly selecting PAs for review. This 2-step process provides opportunities for the agency and DAS to work cooperatively to insure a smooth transition of the PA process.

Compliance Reviews. To maintain the integrity of the program and to address any areas of concern, staff of the Human Resource Support Services will conduct periodic reviews of agency PA programs. The purpose of the review (on-site or electronically) is to verify that an decentralized agency is in compliance with all laws, rules, policies, and procedures, governing employment practices documented by personnel actions.

The frequency of these reviews will depend upon the volume of PAs processed by an agency, as well as, the results for periodic reviews of PA information submitted by the agency, but not more than once per year. Employees in your human resources office may be involved in the on-site review process in respect to the issues being evaluated. Notification will be given to the agency prior to the review.

The Compliance Review form (Appendix E) lists the items that will be reviewed during a scheduled compliance review. Areas of responsibility transferred from DAS, such as advance step hires will be closely reviewed. A report, along with any recommendations for improvement, will be written and provided to the agency's HR administrator with a copy forwarded to the agency director. The agency has thirty days to submit an action plan addressing any outstanding issues.

If agency-established policies and procedures for PA processing are found to be consistently ignored and/or if problems found by the DAS review are not resolved, DAS maintains the right to revoke agency certification and return the agency's PA process. It is our desire to work with each agency as technical consultants.