

MS State Employee Handbook

July, 2005

Summary of Changes

The following is a list of changes other than cosmetic changes made during the July, 2005, update of the Mississippi State Employee Handbook.

COVER PAGE

The Board Members section was updated to reflect new members and a new chairperson and vice-chairperson.

TABLE OF CONTENTS

Relevant changes were made to the Table of Contents to reflect additions to the handbook and changes to page numbers.

THROUGHOUT

The following changes were made:

~~Personnel Director~~ **Human Resources Director**

Page 5 Recruitment and Selection

Employment Security Commission was changed to the Department of Employment Security.

References to the State Personnel Board's Recruitment and Counseling Center which closed as of July 1, 2005, were taken out.

SECTION 3 – RECRUITMENT ANNOUNCEMENT OF RECRUITMENT

References to the State Personnel Board's Recruitment and Counseling Center which closed as of July 1, 2005, were taken out.

SECTION 4 – SELECTION SELECTION OF STATE EMPLOYEES

The following sentence was added:

Part-time employees can only be hired into authorized employment positions classified by the State Personnel Board (SPB), must meet minimum qualifications as set by the SPB, and are paid in accordance with the Variable Compensation Plan as certified by the SPB.

SECTION 5 – PERSONNEL SERVICES

STATE SERVICE EMPLOYMENT

The following sentence was changed as indicated:

Once an employee achieves state service status, he or she retains that status upon transfer (intra- and inter-agency), promotion, demotion, reallocation, or reclassification as long as he or she remains in a state service ~~position~~ ~~job class~~ and does not have a break in service.

SECTION 7 – COMPENSATION

THE VARIABLE COMPENSATION PLAN (VCP)

The following sentence was changed as indicated:

~~Automatic~~ ~~Authorized~~ Reclassification allows agencies under the purview of the State Personnel Board to automatically change the classification of employees who have successfully completed a period of training or received necessary licensure or certification.

ORIGINAL APPOINTMENT – SALARY DETERMINATION

The following sentence was added:

Part-time employees can only be hired into authorized employment positions classified by the State Personnel Board (SPB), must meet minimum qualifications as set by the SPB, and are paid in accordance with the Variable Compensation Plan as certified by the SPB.

SECTION 8 – BENEFITS OF BEING A MISSISSIPPI STATE GOVERNMENT EMPLOYEE IN MISSISSIPPI

HOLIDAYS

The following sentence as changed as indicated:

Except as may be provided in specific agency appropriation bills, when, in the opinion of the appointing authority, it is essential that a state employee work during an official state holiday, the employee shall receive credit for the ~~day~~ ~~number of hours actually worked~~.

LEAVE

The following paragraphs were changed as indicated:

Employees ~~begin to~~ earn and accumulate personal and major medical leave on the first working day of each month the employee works or receives paid leave. ~~after completing one month of continuous service.~~ The personal leave is available for the employee's use the first day of the month after the leave is earned. The appointing authority cannot increase the amount of personal leave to an employee's credit, and it is unlawful for an appointing authority to grant personal and major medical leave in an amount greater than was earned and accumulated by the officer or employee.

~~Part-time employees can only be hired into authorized employment positions classified by the State Personnel Board, must meet minimum~~

qualifications as set by the State Personnel Board, and are paid in accordance with the Variable Compensation Plan as certified by the State Personnel Board. Part-time employees are granted leave only during periods when they are scheduled to work. Part-time and temporary employees earn personal and major medical leave on a pro rata basis.

TRANSFER OF LEAVE BETWEEN STATE AGENCIES

The sentence, "Compensatory leave is not transferable" has been moved from the last sentence of the first paragraph to the second sentence of the paragraph.

PERSONAL LEAVE

The following sentences were changed as indicated:

All Each full-time and part-time employees and appointed officers of the State of Mississippi accrue earns personal leave as follows:

The following paragraph was revised (as indicated above) and moved to the LEAVE section:

Employees earn and accumulate personal leave after completing one month of continuous service. The personal leave is available for the employee's use the first day of the month after the leave is earned. The appointing authority cannot increase the amount of personal leave to an employee's credit, and it is unlawful for an appointing authority to grant personal leave in an amount greater than was earned and accumulated by the officer or employee.

The following sentences were changed as indicated:

Personal or compensatory leave must be used for illnesses of the employee requiring absences of one day or less.

Accrued personal, major medical, or compensatory leave may also be used for an illness in the employee's immediate family which is defined as spouse . . .

Unused personal leave in excess of thirty (30) days and all unused major medical leave will be counted as creditable service for the purposes of the retirement system.

MAJOR MEDICAL LEAVE

The following sentences were changed as indicated:

There is no maximum limit to major medical and personal leave accumulation.

Employees begin to earn and accumulate major medical and personal leave on the first working day of each month the employee works or receives paid leave. after completing one month of continuous service.

~~In order to continue insurance coverage while out on leave without pay, the employee should contact his/her personnel director and make arrangements to pay the insurance premiums himself or herself.~~

~~Faculty members employed by the eight (8) public universities on a nine month basis may use major medical leave for the first day of absence due to illness.~~

Major medical leave may be used, without prior use of personal or compensatory leave, to cover regularly scheduled visits to a doctor's office or a hospital for the continuing treatment of a chronic disease, as certified in advance by a physician.

For each absence due to illness that requires the employee be absent from work for thirty-two (32) consecutive working hours (combined personal, major medical, and compensatory leave and major medical leave), major medical leave can be authorized only when certified in writing by the attending physician.

No qualifying time or use of personal or compensatory leave will be required prior to use of major medical leave for this purpose.

FAMILY AND MEDICAL LEAVE ACT NOTICE TO EMPLOYEES

The following sentence was changed as indicated:

Each appointing authority shall post and keep posted, in conspicuous places where notices to employees and applicants are customarily posted, a notice summarizing the entitlement to family and medical leave and providing information concerning the procedures for filing complaints of violations of the Act.

COMPENSATORY LEAVE

The following sentence was changed as indicated:

State employees in positions which have been classified 'non-exempt', as defined in the federal regulations promulgated by DOL pursuant to the Fair Labor Standards Act (FLSA), may receive compensatory time at a rate of not less than one and one-half hours for each overtime hour worked over forty (40) hours in a work week as defined in DOL regulations, instead of cash overtime pay.

LEAVE OF ABSENCE

The following sentence was changed as indicated:

A leave of absence is for the purpose of accepting another position in non-state service.

LEAVE WITHOUT PAY (LWOP)

A definition of Leave Without Pay was added.

USE OF LEAVE DURING PREGNANCY

The following sentence was changed as indicated:

- C. . . . Just as with major medical leave, the first day (or the first eight (8) hours) of leave taken for pregnancy must be personal leave or compensatory leave or ~~unpaid leave~~ **without pay** (if the employee has no accrued personal or compensatory leave).

MILITARY LEAVE

The following sentence was changed as indicated:

If approved by the appointing authority, it can be charged against personal or compensatory leave, ~~or leave without pay~~.

LEAVE ACCUMULATION AND RETIREMENT

The following sentence was changed as indicated:

Unused leave for which an employee is not compensated upon termination or retirement ~~shall be transferred and certified by the employee's agency to the Public Employees' Retirement System (PERS) and be counted by PERS~~ **counted as creditable service for the purpose of the retirement system.**

MISSISSIPPI LIVING ORGAN DONOR LEAVE

This section was added in its entirety.

TRAVEL AND EXPENSES

The following sentences were added:

Prior approval may be required for travel reimbursement. Employees should request information regarding their agency's travel reimbursement policy from their human resources director.

SOCIAL SECURITY

The following sentence was added:

For further information you may call 1-800-772-1213.

GENERAL INFORMATION ABOUT PERS BENEFITS INCLUDES:

The following sentences were changed as indicated:

Contributions - . . . The employer's monthly contribution is equal to ~~10.75%~~ **9.75%** of the ~~employee's~~ **employee's** Gross Reported Earnings and is not refundable.

Retirement Eligibility – Employees with 25 years of ~~participation in PERS in the system~~ **participation in PERS** are at any age eligible to retire and draw monthly benefits, ~~OR employees who are age 60 with at least four (4) years of participation in PERS in the system~~ **OR employees who are age 60 with at least four (4) years of participation in PERS** are eligible to retire and draw monthly benefits.

THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE COST

The following sentence was changed as indicated:

The State of Mississippi pays the entire health insurance premium for all eligible active state employees' health insurance.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The following sentence was changed as indicated:

HIPAA is designed to combat fraud, waste, and abuse in health insurance and long term care delivery, to promote the use of medical savings accounts, to improve access to long term health care services and coverage, to simplify the administration of health insurance, to protect the confidentiality of an employee's personal health information, and for other purposes.

STANDARDS OF EMPLOYEE CONDUCT WORKPLACE HARASSMENT

The following sentence was changed as indicated:

The appointing authority shall take timely and appropriate corrective action.

WORKPLACE VIOLENCE

This section was added in its entirety.

SECTION 10 – DISCIPLINE, CORRECTIVE ACTION AND SEPARATION OF EMPLOYMENT DUE PROCESS

The following paragraph was added:

All permanent state service employees, i.e., all state government employees who have successfully served twelve (12) months in a state-service designated position, 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 allowing the employee to respond and present a defense to the allegations prior to final action by the appointing authority.

PRIOR TO ACTION BY APPOINTING AUTHORITY
DUE PROCESS = WRITTEN NOTICE + OPPORTUNITY TO BE HEARD

SECTION 11 – GRIEVANCE AND APPEALS

GRIEVABLE ISSUES

The following grievable issue was changed as indicated:

- A. disciplinary actions, including reprimands, demotions, and suspensions; provided, however, disciplinary actions taken by the final appointing authority for the agency may be appealed directly to the Employee Appeals Board (EAB);

DEFINITIONS

This section was added in its entirety.

SECTION 12 – COMMON ACRONYMS

The following change was made:

~~MESC~~ — ~~Mississippi Employment Security Commission~~

MDES — **Mississippi Department of Employment Security**