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| Section-11 Human Resources | OP-110237 | Page: 1 | Effective Date: 09/23/2022 |
| Separation Process | ACA Standards: 2-CO-1C-01 | | |
| Scott Crow, Director Oklahoma Department of Corrections | Signature on File | | |

Employee Separation Process

The employee separation process is designed to ensure that separating employees complete required documents, return state property and are provided with appropriate information. (2-CO-1C-01) The separation process is initiated by the local human resource management specialist (HRMS) once notification of the employee’s pending exit is provided by the facility/unit head. Forms not picked up by the employee before their exit will be mailed.

I. Methods of Separation

A. Resignation

1. To resign in good standing, an employee will provide the facility/unit head at least 14 calendar days prior notice unless the facility/unit head agrees in writing to permit a shorter period of notice. The

facility/unit head will supply the employee written confirmation of any shorter period of notice that is allowed. The facility/unit head will notify the local HRMS within two business days.

2. Verbal resignations may be accepted by the facility/unit head and implemented at their discretion by supplying the employee and field HRMS with written confirmation of the verbal resignation.
3. An employee who is absent from work without prior approval (as confirmed by the coding of Unauthorized Absence on the time/leave sheet) and who has not contacted their supervisor or facility/unit head within five working days is deemed to have resigned from state service. (Civil Service Rules 260:130-19-6(c)). The facility/unit head will supply the employee written confirmation of the resignation through use of the "Unauthorized Absence Resignation Acceptance Letter" ([Attachment G](#), attached).

B. Retirement

Oklahoma Department of Corrections (ODOC) employees will participate in one of four retirement programs; Oklahoma Teachers' Retirement System (OTRS), Oklahoma Public Employees Retirement System (OPERS) regular retirement, OPERS hazardous duty retirement or Pathfinder contribution plan as specified in [OP-110360](#) entitled "Employee Flexible Benefits and Retirement Plans."

C. Discharge

1. Discharge is defined as the act of terminating the employment relationship of a permanent state employee who did not voluntarily resign or otherwise forfeit their position according to any other statutory provision. Discharge does not include separation due to reduction-in-force.
2. The trial appointment of any person may be terminated at any time during the trial period without the right of a complaint. [Civil Service Rule 260:130-19-31, 74 § 840-4.13(D)]

D. Death

A termination due to the death of an employee will be made effective as of the time and date of death.

E. Reduction in Force

Reduction in force is the elimination of positions in an agency or part of an agency and any corresponding non-disciplinary removal of affected employees from such positions through separation from employment.

II. Exit Forms and Copy Distribution

| Document | Central HR Unit | Personnel File | Employee |
|---|-----------------|----------------|----------|
| A. HCM-14 Form | X | X | X |
| B. Current Time Sheet | X | X | X |
| C. Change Request Form - EBD | X | | |
| D. EGID Application to Defer Insurance Coverage | X | | |
| E. OTRS Pre-Retirement Information Verification | X | X | X |
| F. OPERS Retirement Form | X | X | X |
| G. OPERS Vesting Form | X | X | X |
| H. OPERS Withdrawal Form | | | X |
| I. Retiree Photo/ID | | | X |
| J. Retiree/Line of Duty Death Sidearm and Badge Issue | | X | X |
| K. HCM Exit Survey Packet | | | X |
| L. PMP (Performance Management Process) | | X | X |
| M. Unauthorized Absence Resignation Acceptance Letter | | X | X |

A. HCM 14

The Request for Personnel Action (HCM-14) will be completed listing the type of separation, final leave balances and regular days off. A copy of the HCM-14 will be given to the employee along with an explanation of any leave balances to be paid. Employees will be advised that if they return to work for ODOC within two years they may reinstate up to 160 hours of sick leave.

B. Current Time Sheet

The current months' time sheet, as well as any additional time sheets not yet processed through the time/leave system, will be included with the separation packet.

C. Change Request Form – EBD

The “Change Request” form ([EBD Web link](#)) is used when an employee separates employment with the agency. The change form is to be sent to the Central Human Resources Benefits unit showing the type of separation and the date. The change form will be received within 30 days of the separation from employment.

D. EGID Application to Defer Insurance Coverage

1. The Employees Group Insurance Division application for Retiree/Vested/Non-Vest/Defer insurance coverage may be completed by state employees who have eight or more years of employment with the state. The form will be completed within 30 days of termination.
2. The Employees Group Insurance Division application to defer insurance coverage may be completed by state employees who are retiring or vesting from the agency and who are married to another state employee and choose to defer their benefits. The retiring/vesting employee then becomes a dependent of their spouse’s insurance with the State of Oklahoma.
 - a. The retiring/vesting employee also has the option of retaining their life insurance when he or she is deferring insurance coverage. However, life insurance cannot be deferred; the employee may only elect to retain, lower, or drop the insurance.
 - b. Once the spouse retires or leaves employment from the State of Oklahoma, the spouse and the retired/vested employee may each receive the designated benefit allowance for retirement insurance premiums if applicable with their designated plan.
 - c. This form is to be processed as listed in Section II. item C. above.

E. Oklahoma Teachers’ Retirement System (OTRS) – (Superintendents, Principals, Vocational Training Instructors and Teachers Only)

1. Employees retiring with OTRS will submit a completed “Pre-Retirement Information Verification (PIV)” form ([OTRS Web link](#)) at least 90 days prior to the selected retirement date. OTRS will provide the employee with an Intent to Retire (ITR) form.

2. To initiate the OTRS retirement process, the employee will submit an ITR form no later than 60 days prior to the selected retirement date. The ITR will be signed by the retiring employee and spouse (if married). OTRS will send the employee a Retirement Contract and Benefit Payment Authorization form. The employee will execute the contract before a notary and return it to OTRS no later than 30 days before the selected retirement date.
3. In addition to contacting OTRS to begin the retirement process, employees retiring through OTRS will complete a "Retirement Notice for Department of Corrections Teachers" form ([Attachment E](#), attached) and submit it to the Central Human Resources Benefits unit no less than 60 days prior to the employee's selected retirement date. Within five business days of receipt of the employee's written notice to retire, the Central Human Resources Benefits unit will send an electronic copy of the employee's written notice to the employee's respective HRMS/field benefits coordinator.

F. OPERS Retirement Form (OPERS 515-117-10)

1. The Oklahoma Public Employees Retirement System (OPERS) retirement form is to be used for employees who are eligible to retire under the hazardous retirement, 80/90 point system, at six years of service reaching age 62/65 or by early retirement.
 - a. Employees with a State of Oklahoma enter on duty date (State EOD) after November 1, 2011, are required to reach a minimum age of 60 to retire in the 90 point system or reach age of 65 with six years of service.
 - b. The OPERS retirement forms are also to be used for employees with a State EOD date prior to November 1, 2011, who reach age 62 with six years of service.
 - c. Employees with a State EOD prior to November 1, 2011, are eligible for an early retirement at a permanently reduced benefit once they have reached the age of 55 and has at least 10 years of OPERS participating service.
 - d. Employees with a State EOD on or after November 1, 2011, are eligible for an early retirement at a permanently reduced benefit once they have reached the age of 60 and has at least 10 years of OPERS participating service.

- e. Employees who completed 20 years of service in the hazardous duty retirement system.
 2. Employees will complete the original document with an original signature and send it to the Central Human Resources Benefits unit a minimum of 75 days prior to their selected retirement date. Within five business days of receipt of the completed signed document, the Central Human Resources Benefits unit will send an electronic copy of the signed document to the employee's HRMS/field benefits coordinator.
 3. Retirement benefit payments will be sent to the retiree on the second month of retirement (the employee will receive two checks, one for each month of retirement) and every month thereafter.
- G. OPERS Vesting Form (OPERS 515-118VB-10 09)
1. Employees who have at least eight years of participating service contributions with OPERS have the option of vesting their contributions upon separation from the State of Oklahoma.
 2. Vesting benefits with OPERS allows employees a future interest in a retirement benefit. Upon completion, this form will be sent to the Central Human Resources Benefits unit for processing. The unit HRMS will ensure that the exiting employee receives the vesting form ([OPERS Web link](#)). It is then the responsibility of the exiting employee to send the form to the Central Human Resources Benefits unit.
- H. OPERS Application for Withdrawal Form (OPERS 515-118W-10 30)
1. Upon separation, employees that elect to withdraw their contributions are required to complete the withdrawal form ([OPERS Web link](#)) in order to receive contributions paid. By withdrawing the contributions, OPERS participating service is revoked but can be reestablished at a later date.
 2. Completed forms will be sent to the Central Human Resources Benefit unit for processing. Payment is processed by OPERS after a four month waiting period (74 § 917).
- I. Retiree Photo ID
1. Any employee who retires in good standing will be issued a photo ID, if requested upon their retirement. The photo ID will include the

employee's name and job title at the time of their retirement and will also indicate that they are retired.

2. Employees who are CLEET certified and are commissioned at the time of retirement will be issued a separate commission photo ID, if requested. The commission card will include the employee's name and job title at the time of retirement and will indicate they are retired [18 U.S.C. § 926B (2004)].
3. All requests for ID's for retired/retiring employees will be made in advance, and, if approved, will be issued by the chief of Operations or designee.

J. Retiree/Line of Duty Death Sidearm and Badges

1. Probation and Parole officers and Inspector General agents are entitled to receive, upon retirement by reason of length of service, the continued custody and possession of the sidearm and badge carried by such officer or agent immediately prior to retirement. (74 § 150.23A.)
2. Correctional officers or peace officers will be entitled to receive, upon retirement by reason of length of service, the continued custody and possession of the firearm and badge carried by such officer prior to retirement. (74 § 150.23D.)
3. In addition to the firearm carried by a correctional officer or a peace officer of ODOC, the retired correctional officer or peace officer may purchase the rifle or shotgun, or both, issued to the correctional officer or peace officer immediately prior to retirement. The cost to the retired officer of purchasing the rifle or shotgun, or both, shall be the price ODOC paid at the time of purchase and upon payment of that price, the retired correctional officer or peace officer shall be entitled to ownership of the rifle or shotgun, or both. (74 § 150.23E.)
4. Probation and parole officers and Inspector General agents may be entitled to receive, upon retirement by reason of disability, the continued custody and possession of the sidearm and badge carried by such officer or agent immediately prior to retirement upon written approval from the agency director. (74 § 150.23B.)
5. Custody and possession of the sidearm and badge of a probation and parole officer or Inspector General agent who dies while employed by ODOC may be awarded to the spouse or next of kin of the deceased officer or agent upon approval from the agency director. (74 §

150.23C.)

- 6. The transfer of the possession of any sidearm and/or badge requires the completion of the “Oklahoma Department of Corrections (ODOC) Retiree/Line of Duty Death Sidearm and Badge Issue” form ([Attachment B](#), attached).

K. Employee Exit Survey System

The HRMS for each facility/region/unit will ensure that all state employees, who are voluntarily separating from the agency in good standing and without pending disciplinary action, will be provided the opportunity to complete an on-line Human Capital Management (HCM) exit survey.

1. HCM Exit Survey

Each separating employee will be provided with the following:

- a. “Exit Survey System Memorandum” ([Attachment A](#), attached);
- b. “HCM Letter Regarding On-Line HCM Exit Survey” ([Attachment C](#), attached);
- c. “HCM Exit Survey Data Collection” form ([Attachment D](#), attached)

The respective field HRMS will collect the employee’s non ODOC email address utilizing the “HCM Exit Survey Data Collection” form ([Attachment D](#), attached) for the sole purpose of entering the required information into HCM’s on-line Separation Data Form.

2. Absentee Separation

Upon formal notice of an employee’s separation through resignation, interagency transfer, or retirement, the HRMS at the facility/region/unit will offer the departing employee an opportunity to participate in an “Employee Exit Interview” as described in this procedure. The required items to complete the exit interview process will be mailed to the departing employee’s last known address or e-mailed to the address provided by the employee.

3. Review and Processing of Employee Exit Survey System Data

Collective survey data will be utilized by ODOC administrative and senior staff.

L. Performance Management Process (PMP)

The PMP on each separating employee will be closed out by the supervisor in accordance with [OP-110225](#) entitled "Performance Management Process."

III. Process and Related Information

The HRMS will ensure the following information is provided to employees and/or supervisors during the separation process.

- A. Retiring employees and beneficiaries of deceased employees will receive a pro-rated longevity check. Longevity is not paid for any other type of termination from employment.
- B. Health insurance will remain in effect through the end of the month in which the employee terminates.
- C. Agency property, such as keys, employee ID, card key, badge, uniforms and equipment, will be returned in accordance with [OP-110120](#) entitled "Procedures for Time/Leave Sheets and Payroll Processing."
- D. Ineligibility to Rehire
 - 1. The appointing authority may determine that an employee is not eligible for rehire at the time an employee is separated from employment only under the following circumstances:
 - a. An employee resigns during an investigation;
 - b. Resigns in lieu of discipline;
 - c. Fails to report for duty;
 - d. Refuses to take a drug or alcohol test when referred;
 - e. An employee resigns or is discharged based on bringing contraband, as defined in [OP-040109](#), "Control of Contraband and Physical Evidence", into the facility;
 - f. The employee resigns or is discharged for a drug free workplace program violation;

OP-110120 entitled "Procedures for Time/Leave Sheets and Payroll Processing"

OP-110225 entitled "Performance Management Process"

OP-110360 entitled "Employee Flexible Benefits and Retirement Plans"

Administrative Rule 260:25-11-132 (c)

Civil Service Rule 260:130-19-31

OPERS 515-117-10, 515-118VB-10 09, 515-118W-10 30

28 CFR Part 115.17

18 U.S.C. § 926B (2004)

74 § 150.23A-150.23E

74 § 840-4.13(D)

74 § 917

V. Action

The executive/senior staff are responsible for compliance with this procedure.

The chief administrator of Human Resources is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: OP-110237 entitled "Employee Separation Process" dated May 19, 2021

Distribution: Policy and Operations Manual
Agency Website

| <u>Referenced Forms</u> | <u>Title</u> | <u>Location</u> |
|--------------------------------|--|-----------------|
| EBD Web link | “Change Request Form” | EBD Form |
| OPERS Web link | “OPERS Vesting Form” | OPERS Form |
| OPERS Web link | “OPERS Withdrawal Form” | OPERS Form |
| OTRS Web link | “OTRS Pre-Retirement Information Verification” | OTRS Form |

| <u>Attachments</u> | <u>Title</u> | <u>Location</u> |
|------------------------------|---|-----------------|
| Attachment A | “Exit Survey System Memorandum” | Attached |
| Attachment B | “Retiree/Line of Duty Death Sidearm and Badge Issue” | Attached |
| Attachment C | “HCM Letter Regarding On-line HCM Exit Survey” | Attached |
| Attachment D | “HCM Exit Survey Data Collection” | Attached |
| Attachment E | “Retirement Notice for Department of Corrections Teacher” | Attached |
| Attachment F | “Ineligibility for Rehire” | Attached |
| Attachment G | “Unauthorized Absence Resignation Acceptance Letter” | Attached |