

EMPLOYEE MANUAL

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General

The Mississippi Division of Medicaid (DOM) seeks to recruit, select, and advance its employees on the basis of their relevant knowledge, skills, and abilities. All employment practices, including recruitment, selection, appointment, training, promotion, retention, and discipline are administered in accordance with policies, procedures, and guidelines established by the Mississippi State Personnel Board (MSPB) as detailed in the Mississippi State Employee Handbook. In addition, all employment practices are administered in compliance with federal and state laws.

Employees are charged with the responsibility of reading, understanding, and following the policies and procedures contained in the most current edition of the Mississippi State Employee Handbook, located on the DOM intranet as well as the MSPB website. It is updated at the beginning of each fiscal year and employees are responsible for reviewing any changes.

In addition to the policies and procedures detailed in the Mississippi State Employee Handbook, DOM has further established policies and procedures applicable to its employees. These policies and procedures are contained in this Employee Manual. Employees are charged with the responsibility of reading, understanding, and following the policies and procedures contained in this Employee Manual, located on the DOM intranet. When substantive changes/updates are made, employees will be notified via email.

Non-Discrimination Policy

DOM does not discriminate because of race, color, political affiliation, religion, age, disability, national origin, or gender. The Affirmative Action policy adopted by DOM is found in Appendix A. The policy of Compliance with the Americans with Disabilities Act is found in Appendix B.

Employment Categories

Employees of DOM are identified as either state service employees or non-state service employees.

- A. A state service employee does not enjoy a property right to his or her job until he or she has successfully completed at least a twelve-month probationary period and has attained permanent state service status. 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 and does not have a break in service.
- B. Non-state service employees cannot attain permanent state service status while employed in a non-state service position. A non-state service employee has no property right to his or her job and may be terminated with or without cause and without due process by his or her employer.

The Legislature has defined in statute those employees that are considered non-state service employees (see Mississippi Code Annotated § 25-9-107 (c)). The types of non-state service positions within DOM include the following:

1. Time-Limited (xiv)

Time-limited positions are those that are typically funded through a federal grant and are subject to be deleted once the funding is discontinued. Employees hired into time-limited positions do not gain state service status, but do receive benefits such as leave, insurance, and retirement.

2. Part-Time (Hourly) (xi)

Employees hired into part-time positions work fewer than 40 hours a week, twelve months a year. Employees are compensated based on the actual number of hours worked. Employees hired into part-time positions do not gain state service status, but do receive benefits such as leave, insurance, and retirement on a pro-rata basis as described in the Mississippi State Employee Handbook, (see Sections 3.1 through 3.2).

3. Non-State Service because of Organizational Placement (xvi)

These employees are appointed by and work at the will and pleasure of the Executive Director; however, they do not have to report directly to the Executive Director.

Employees may be designated as non-state service if they are in “top level positions, and if the incumbents determine and publicly advocate substantive program policy and report directly to the agency head, or the incumbents are required to maintain a direct confidential working relationship with a key excluded official.” Mississippi Code Annotated § 25-9-107 (c). These employees are entitled to full fringe benefits, unless they are also part-time, then benefits are provided on a pro-rata basis.

General Hiring and In-Service Movement

DOM fills all vacancies in accordance with the MSPB Policy and Procedures Manual and the DOM Employee Manual. The procedures outlined below describe the standard processes utilized by the agency.

A. Recruitment/Job Notifications

1. State Service Positions:

Requests to fill state service positions (other than through promotion, demotion, or transfer) may be made in one of three ways on the Personnel Action Request Form (PARF), found on the DOM intranet under "Forms." Those are 1) office only, 2) agency only, and 3) open competitive. A PARF must be completed by the Office/Bureau Director in whose office the vacancy exists, specifying the type of recruitment/job notification. The form must be signed by the Office/Bureau Director and the Deputy Administrator before being submitted to Human Resources (HR) for review and processing by the HR Director. Information to be completed on the PARF shall include:

- a. Classification (MSPB Title), occupational code, and the position identification number (PIN) of the vacant position. If the Office/Bureau Director is unsure of the occupational code, this may be left blank.
- b. Special qualifications – if requested, justification must be attached and submitted to the HR staff for approval prior to the position being advertised.
- c. County
- d. Office
- e. Reason for filling the position, including the name of the previous incumbent and the date the position became vacant, if applicable.
- f. Notify immediately/notify when vacated (i.e., after two weeks' notice).
- g. Job notification type:
 - (1) Office only-competitive – Only current DOM employees within the Office where the vacancy exists are considered for this type of recruitment.
 - (2) Agency only – Only DOM employees with at least six months of continuous state service are considered for this type of recruitment.
 - (3) Open competitive – This type of recruitment consists of applicants from DOM, other State agencies, and the general public.
- h. If open competitive, choose desired recruiting option(s):

- (1) Local newspaper/newsletter (attach documentation)
- (2) On-line job bank (attach documentation)
- (3) MSPB only

- i. Indicate whether an applicant selection criteria will be used for interview selection (email the criteria to HR for review).
- j. Travel required (check yes or no) - If yes, indicate on the PARF the amount of travel:
 - (1) Day only – A = some (50% or less) or B = often (above 50%)
 - (2) Overnight – C = some (50% or less) or D = often (above 50%)

HR staff will submit the PARF to the Executive Director for final approval. If the request is approved, an HR staff member will advertise the vacancy in one or more of the following ways according to the selected recruitment/notification option on the PARF:

- Advertise the vacancy via email to DOM employees
- Advertise the vacancy via the MSPB website
- Advertise the vacancy in the appropriate publication(s)

All state service vacant positions must be advertised for a minimum of three business days.

All interested applicants are required to submit to MSPB, or a designated HR representative, a completed State of Mississippi application. A qualified applicant must meet the minimum education/training and experience requirements for the job class for which the application is made, and possess the special qualification(s) listed on the announcement (if applicable).

MSPB will process the applications and forward them, along with a referral list (the list of qualified applicants, which is also referred to as the eligibles list), to the appropriate HR staff. Upon receipt, the referral list will be forwarded to the appropriate hiring manager via email.

The selection of the person to be hired will be determined from the referral list of applicants.

2. Non-State Service Positions and/or Positions Exempt from the Selection Process:

MSPB does not determine recruitment programs for job classes or positions exempt from the selection process in accordance with the MSPB Policy and Procedures Manual.

At agency discretion, MSPB or any other recruiting entity may advertise the exempt positions and the names of all applicants may be forwarded to the hiring manager. If the position(s) are to be advertised outside of the MSPB website, all applications must be submitted to HR. An HR representative, in conjunction with the Office/Bureau Director

making the request to fill a vacancy, will evaluate the applications to verify that the minimum requirements and/or special qualifications are met.

For those positions exempt from the MSPB selection process, once the applications are evaluated, HR staff will duplicate the applications and send an Applicant Evaluation Form to the appropriate hiring manager with all submitted applications attached. The Applicant Evaluation Form will notate whether each applicant met the minimum qualifications or not, and if not what the applicant was lacking, and will be signed by the HR representative. These forms and applications should not be duplicated by anyone except for a designated HR representative.

B. In-Service Movement (Promotions, Voluntary Demotions, Transfers)

In-service movement includes promotions, voluntary demotions, and transfers, and is administered in accordance with the MSPB Policy and Procedures Manual and the policy memorandum, Administration of the Variable Compensation Plan, for the current fiscal year. When an employee is recommended for a promotion, voluntary demotion, or transfer, the requesting supervisor shall utilize the PARF. The completed form shall be submitted to HR after being signed by the Office/Bureau Director and the Deputy Administrator. HR will forward the PARF to the Executive Director for final approval.

Any employee, who is promoted, transferred, or takes a voluntary demotion must complete a State of Mississippi application and must meet the minimum qualifications for the job classification he/she is going into.

C. Minimum Qualifications

The minimum qualifications for an occupational class shall consist of the minimum qualifications listed on the class specification plus any special qualifications requested by the Office/Bureau Director filling the vacancy. Special qualifications must be approved by MSPB staff.

An applicant's education/training, experience, background, and/or special qualifications (if applicable), as provided on their State of Mississippi application, will be reviewed in detail to determine if the applicant qualifies for the position.

An employee or applicant who possesses the substantial equivalent of the minimum qualifications may request in writing that MSPB substitute the substantial equivalent of education/training and experience for the minimum qualifications required for entry into an occupational class, thereby allowing the certification to a referral list or in-service movement of an individual not otherwise meeting the stated minimum qualifications. There shall be no consideration given to the substitution of equivalent education/training or experience where relevant licensing, certification, or similar requirements, or where state or federal statutes or regulatory guidelines preclude evaluation on this alternative basis.

D. Falsification

The falsification of a State of Mississippi application by an employee is considered a Group Three Offense in the approved Schedule of Offenses and Authorized Disciplinary Action, and may result in dismissal, suspension for up to 30 days, demotion to the previous position and pay level, or a combination thereof.

E. Notification to Applicants

1. Notification to Applicants for Non-Exempt Occupations

Applicants who applied for a vacancy through MSPB will be notified of their evaluation results in a timely manner. MSPB will notify all applicants as to whether they do or do not meet the minimum qualifications of the occupational class for which they have made application. An applicant shall have the right to make a written request for the review of the disapproval by the Director of the Office of Human Capital Core Processes within MSPB.

2. Notification to Applicants for Exempt Occupations

Applicants who have applied for a position exempt from the MSPB selection process and submitted their application directly to DOM will receive a thank you letter if they were interviewed but not selected.

General Notes

- A. Special Qualification - A special qualification is a requirement used in conjunction with the minimum qualifications of a job class to designate specific skills, abilities, education, and/or experience necessary for a particular position. In no case shall the special qualification exceed the minimum qualifications as outlined on the class specification for the job class. A request for special qualifications must contain a detailed explanation of the need for the specific requirements. The explanation must include a description of the specific skills, abilities, education, and/or experience required and why; and copies of any federal or state regulations, guidelines, statutes, or case law which are relevant to qualifications of the position. A request for special qualifications must be attached to the PARF at the time of submission to the Deputy Administrator for his/her approval. Final approval must be received from MSPB staff.
- B. When the interview process is not used at the time an employee is being recommended for promotion, the Office/Bureau Director must justify in writing the criteria used to make the decision to promote without interviewing. The criteria used are subject to approval by the HR Director.

- C. In the selection process, supervisors/directors should base their decisions on a combination of the following criteria: education, experience, and interviews.
- D. All prospective or current state service employees shall have their State of Mississippi application formally evaluated prior to an appointment or promotion. The MSPB shall uniformly evaluate the qualifications of applicants as stated on their State of Mississippi application. All prospective or current state service employees will be required to submit proof of any license, certificate, degree, or other evidence of eligibility or qualification required by state or federal law, or class specification.

Occupational Testing

DOM conducts testing on selected occupations. The tests are scheduled at a site in close proximity to where the vacant position will be filled and are conducted by Human Resources staff or a local test proctor. The Recruitment and Selection Division grades the tests, and applicants that pass are eligible for an interview.

Interview Process

When interviews are used as part of the selection process, the following procedures will be followed:

- A. Once the Office/Bureau Director or supervisor has received the referral list or Applicant Evaluation Form with the list of approved applicants, he or she will consider each applicant on the list and determine by a review of education, experience, certifications, special qualifications (if applicable), and/or by testing which applicants shall be offered an interview.

If the Office/Bureau Director opts not to interview all applicants on the referral list or Applicant Evaluation Form, he or she must inform HR in writing of the applicant selection criteria that will be used to determine which applicants will be offered an interview and which applicants will not be interviewed after consideration of their education, experience, certifications, special qualifications, and/or by testing. The applicant selection criteria must be submitted to the HR Director for review/approval prior to receiving the referral list or Applicant Evaluation Form.

Using the applicant selection criteria previously submitted to HR, the Office/Bureau Director should indicate on the referral list or Applicant Evaluation Form by placing an "I" beside the name of the applicants the Office/Bureau Director would like to interview and a "C" beside the name of the applicants the Office/Bureau Director considered for an interview but chose not to interview. The referral list or exempt position applications will be returned to HR. Once a determination of which applicants will be interviewed has been made, the Office/Bureau Director will e-mail the appropriate HR staff to schedule interview dates, times, and a location and indicate who will be on the interview panel.

After the interview dates are confirmed, the recruitment staff will send interview letters to those applicants selected for interview. The interview letter will allow the applicants adequate time to confirm interview times and a location (the actual deadline date will be stated in the letter). Applicants may call HR to confirm the interview. The telephone number of the designated HR representative will be stated in the letter.

- B. Regional Office Interviews - The Bureau Director/Regional Office Directors must contact HR to schedule interview(s) for the Regional Office where the vacancy exists. HR staff will distribute an interview schedule to the Bureau Director, Regional Office Director, or other designated supervisory staff, prior to the scheduled interviews. HR staff will overnight (FedEx) interview packets to the Regional Office Director the day before the interviews are scheduled.
- C. Central Office Interviews - Offices will be responsible for picking up interview packets, which include, but are not limited to: interview schedules, applications, interview evaluation forms (rating sheets), interview questions, applicant selection criteria, and the personnel reference/verification form, the day before the interviews. Staff picking up interview packets will be required to sign a confirmation of receipt form.
- D. Human Resources should receive an electronic version of the interview questions at the time of the job announcement, unless questions are on file with the Office of Human Resources for the vacancy. Questions should not be asked which may be discriminatory or are prohibited by state and federal law. Federal laws and regulations applicable to employment discrimination include but are not limited to Title VII of the Civil Rights Acts of 1964, the Americans with Disabilities Act of 1990, and the Age Discrimination in Employment Act. The questions should be focused primarily on a discussion of the essential functions of the position. They may be behavioral and/or performance based. The education and work experience should be assessed and rated separately. The applicant selection criteria must be established for vacant positions prior to, or immediately after, job announcements have been posted. The applicant selection criteria must be on file in HR before interviews are conducted. The criteria may not be established after applications are reviewed.
- E. Interview Panel - Interviews are conducted by an Interview Panel consisting of at least the following: the immediate supervisor, the second level supervisor, and another employee at the supervisor level designated by the appropriate Office/Bureau Director. The composition of the panel should reflect racial and gender diversity. Members of the interview panel are required to briefly note important points from the applicant's responses to the interview questions. Human Resources staff is not required to be a member of the interview panel; however, if the Office/Bureau Director would like a member of HR to participate on the interview panel, he or she should contact the HR Director.

- F. Interview Locations - Interviews for central offices vacancies will be conducted at sites designated by the Office/Bureau Director. Interviews for the regional office vacancies will be held in the regional office where the vacancy exists.
- G. Interview Evaluation Form - Each interview panel member will use an Interview Evaluation Form during applicant interviews. The form must be completed and signed in ink, and a total score applied after each interview. The rating scale ranks the applicant from 0 - 5, with 0 representing the lowest rating and 5 representing the highest rating.
- H. Applicant's Agreement of the Reference/Verification Form - Applicants will be required to indicate whether DOM may contact their current and all previous employers and sign the Applicant's Agreement of the Reference/Verification Form if the director/supervisor elects to verify employment history. If an applicant refuses to allow DOM to contact all previous employers, he or she depending on the circumstances, may jeopardize their opportunity to be considered for the position. Directors/supervisors will verify employment, using the questions provided on the Reference/Verification Form. The original forms must be submitted to HR along with the interview packets. The Reference/Verification Forms will be retained by HR along with all information pertaining to the interview. The Reference/Verification Form can be found on the DOM intranet website under Forms > Employee Forms Submitted to HR.
- I. At the conclusion of the interviews, if an applicant is recommended that did not receive the highest score on the Interview Evaluation Form, valid written justification must be given on the second page of the rating form and/or attached memorandum.
- J. When the Office/Bureau Director is not part of the interview panel, the immediate supervisor where the vacancy exists will make a recommendation to hire an applicant to the Office/Bureau Director. The Office/Bureau Director will submit the PARF, a written recommendation, the interview panel's original Interview Evaluation Forms, and a copy of the applicant's application to the HR Director. Also, at the time of submission of the recommendation, the Office/Bureau Director will submit the completed interview packets, which consist of all of the information that was given prior to interviews.

Note: To avoid delaying the hiring process, a copy of the second choice applicant's application can be submitted with a PARF along with the original recommendation for the first choice applicant. Additionally, include in the recommendation to offer the vacant position to the second choice applicant in the event that the first choice applicant declines.

Selection Process

After the recommendation has been approved by the Deputy Administrator, the HR Director will review the recommendation for policy compliance and submit to the Executive Director for final approval/disapproval.

- A. All referral lists and attached applications must be returned to HR, along with the interview packets and recommendation. The life of a referral list and Applicant Evaluation Form is 120 days.
- B. Once the interview panel has made a decision/recommendation, confidentiality of the decision must be maintained until final approval and HR has sent notification via e-mail to the Office/Bureau Director that the applicant has accepted the position.
- C. If a State employee is recommended for hire, the Office/Bureau Director will submit the recommendation to HR for verification of the applicant's salary, computations of promotions/demotions and comparison of salaries of employees currently in the position. All salary offers must be recommended by the Office/Bureau Director and approved by the Deputy Administrator in conjunction with the Executive Director.
- D. The recommended approval/disapproval will be returned to the HR Director for processing. A HR representative will extend the job offer. New hires that are extended job offers shall begin employment no later than the fifteenth of the month, except for those with the Executive Director's authorization. All promotions/transfers for agency staff must be effective the first of the month.
- E. Unfilled Positions – If the interview and selection process is concluded without a recommendation to hire, the Office/Bureau Director will notify HR via email if they wish to re-advertise the position.

Education Verification

An applicant's educational record, as provided on their State of Mississippi application, shall be verified by DOM. Verification procedures will include the following:

- HR requests transcripts from interested applicants to verify education.
- All education listed on the application must be verified.
- DOM will only accept official transcripts sent directly to DOM from the colleges and universities via mail, eSCRIP-SAFE, Parchmant, Clearing House, or any other secured electronic application used by the university.
- If only a high school diploma is listed, DOM must have a transcript from the high school.
- If the applicant checks that they graduated, the transcript must indicate that a degree has been conferred.
- If the applicant checks that they did not graduate and lists semester hours, the transcript is verified for the number of semester hours.
- If no hours are listed and the applicant checked they did not graduate, the transcript is verified to show the applicant attended the school(s) listed.
- If a current employee applies for a promotion, etc., and lists additional coursework and/or degrees on their application, the above procedures apply.

- If all information is true and correct and can be verified, the applicant may be made an offer for employment.

Background Checks

DOM requires a criminal background check for all employees hired on or after July 1, 2013. During the 2013 Regular Legislative Session, the Legislature passed, and the Governor signed into law, Senate Bill 2625 which prohibits any State agency from employing a person who has been convicted or pled guilty in any court of any felony in which public funds were misused. Although a disqualification is possible on other grounds, in accordance with federal and state laws, a previous conviction, other than the one described in Senate Bill 2625, does not automatically disqualify an applicant for employment with DOM.

Other sections of this Employee Manual and state/federal law require employees to disclose certain criminal charges that occur in the course of employment. If an employee is charged with a felony covered by Senate Bill 2625, he or she must immediately notify HR.

Appointment and Notification

Once the applicant accepts the position, the HR representative will notify the hiring authority, iTECH help desk, payroll, and HR staff via e-mail, when the position will be filled.

- A. Human Resources staff will mail correspondence, signed by the Executive Director, to the new hire confirming the job offer. A copy of the new hire correspondence will also be provided to all appropriate Human Resources staff. HR staff will send written correspondence to the other applicants who interviewed.
- B. Human Resources will provide Central Office new employees with a New Employee Enrollment Packet. Regional Office Directors (R. O. Directors) will be responsible for providing regional office new employees with an enrollment packet which is located on the DOM intranet under "Forms". Further, R. O. Directors should fax a copy of the new employee's completed forms to the Benefits/Leave Division immediately upon receipt and place the originals in the mail (refer to the Enrollment Forms Checklist located on the DOM intranet under "Forms").
- C. The immediate supervisor of a new employee shall submit the original MSPB Performance Development Assessment Form to HR fourteen days from the new employee's hire date. This requirement also applies to permanent State Service employees that are promoted, demoted, or transferred and the duties change, or permanent State Service employees that are hired from another State agency.
- D. Probationary Period of Employment: Upon original entry into a State Service position, each employee is placed in a probationary status for a period of twelve months. The probationary period provides an effective means for the employee to learn assigned

duties and responsibilities. A formal employee performance assessment rating will occur during the probationary period. After observing the employee's work, the supervisor may or may not recommend the probationary employee for permanent State Service status. An employee may be terminated at any time during the probationary period, once the appropriate documentation is sent to Human Resources and the Executive Director.

Employment Eligibility Verification

The Employment Eligibility Verification Program (E-Verify) is a program in which the employment eligibility of all newly hired employees will be confirmed after the Employment Eligibility Verification Form (Form I-9) has been completed. Each DOM new hire is required to complete a Form I-9. The completed Form I-9, along with documents that establish identity and employment authorization, should be submitted to Human Resources within one (1) business day of the employee's first day of employment. The Form I-9 and list of acceptable documents can be found in the New Employee Enrollment Packet which is located on the DOM intranet under "Forms".

Authority for the E-Verify program is found in Title IV, Subtitle A, of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. 104-208, 110 Stat. 3009, as amended (8 U.S.C. §1324a note).

Employee Resignations

In the event that an employee resigns, he or she should provide a formal resignation letter at least ten working days before the resignation day. Submission of the letter should be as follows:

- the original should be submitted to HR within one working day of it being tendered by the employee. It is the immediate supervisor's responsibility to make sure HR has received a copy. RO supervisors may scan and email the resignation letter to HR);
- a copy should be submitted to the employee's immediate supervisor and Office/Bureau Director by the resigning employee;
- If an employee quits without providing a resignation letter, the immediate supervisor must notify HR immediately.

Failure to follow the resignation procedures could result in the employee not being paid his or her final check in a timely manner and/or disciplinary action for a supervisor not submitting the resignation letter to HR in the timeline described.

Exit Interviews

The immediate supervisor will conduct an exit interview with each employee who leaves DOM employment using the Exit Interview Form found on the DOM intranet under "Forms." The exit interview will be held on the last day of employment. At that time, the employee will be responsible for returning: keys (office, desk), briefcase/attaché/portfolio, state Identification cards (ID badge), iPad, cell phone, laptop computer, procurement card, credit card, and the

access card (computer smart card). The immediate supervisor, Office/Bureau director, and Deputy Administrator must sign the Exit Interview Form, and then the supervisor must forward the completed form to Human Resources who will contact Payroll regarding the employee's final payroll warrant.

In the case of an employee who is fired, the supervisor should contact the HR disciplinary officer for instructions on what needs to be completed.

Employment Verification for Former DOM Employees

All employment verification requests and/or inquiries should be referred to Human Resources. Employment information regarding current or previous employees should not be disclosed by anyone outside of Human Resources.

Reduction in Force (RIF)

The tenure of an employee with permanent state service status shall be continued as long as the employee performs assigned duties satisfactorily and adheres to the agency's policies and procedures. However, DOM may reduce the number of employees in the agency when necessary for reasons of shortage of funds, lack of work, material change in duties, reorganization, or a merger of agencies (Refer to MSPB Policy and Procedures Manual, section on Reduction in Force).