

# CIVIL SERVICE EMPLOYEE HANDBOOK

*Preparing students to step forward with confidence and a vision of lifetime success*



SD School for the Blind  
and Visually Impaired

*Partners in educational success*



South Dakota School for the Deaf

Dear State of South Dakota Employees,

Public service is essential to maintaining our democratic society, providing services to our citizens, and helping the state and country prosper. Thank you for your dedication to the State of South Dakota and its citizens.

Beyond day-to-day duties, each State employee, regardless of title or pay grade, is responsible to help maintain the public trust. Any misappropriation of resources, conflict of interest or other illegal activity, undermines the confidence citizens have in our State government. It overshadows the otherwise good work being done for society.

In addition to reading and abiding by the personal responsibility policies outlined here, you are asked to report acts that you believe violate these policies. If you see something, please say something. To create a comfortable atmosphere for recounting such concerns, an internal control officer has been appointed in each department. If you do not feel comfortable discussing your concerns with the internal control officer in your department, you may reach out to an internal control officer from another department or contact your human resources manager.

Thank you in advance for representing yourself and your fellow State employees with integrity.

Sincerely,

Governor Dennis Daugaard

Dear Board of Regents Employees,

Integrity. Ethics. Transparency. Protecting the public trust. You and I not only have the responsibility to maintain the very highest standards in these areas, but also to pass these values along to our students. Our society has long depended on higher education to enhance the ability of our democracy to function effectively and fairly for all of the people that call our nation and state home. We must assist students in their search for knowledge, in understanding themselves and their cultural and physical environments, and in developing the wisdom and skills necessary to function as responsible citizens in society.

As a Regental system employee, you play an integral role in carrying out that mission. Each and every employee has a responsibility to demonstrate to each other, our students, and the citizens of the State of South Dakota, a commitment to making stewardship and ethical behavior a part of our everyday activity. Thank you for representing the Board of Regents and your institution with honesty and integrity, and leading by example for the future leaders of South Dakota.

Sincerely,

A handwritten signature in cursive script that reads "Mike Rush".

Mike Rush  
Executive Director and CEO

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**All Civil Service employees (CSE) are subject to Bureau of Human Resources (BHR) Rules and Regulations. Activities within the Civil Service System are also governed by SDCL 3-6 and the Joint Powers Agreement between the Civil Service Commission and the South Dakota Board of Regents (BOR).**

### APPOINTMENT TYPES

There are several types of appointments in the Civil Service. The condition in initial employment may be temporary (6 months or 1040 working hours) or probationary. Probationary means that the employee has been hired for a permanent position, but must first serve a 1040 hours probationary period, exclusive of overtime.

### PROBATIONARY PERIOD

Probationary periods will be determined by the completion of 1040 regular hours worked, exclusive of overtime. Exempt employees breaking service before entering a civil service position will be required to serve the probationary period. Probationary periods shall not be extended. Temporary and seasonal service may not be credited to the probationary period. Leave accrual shall begin on the date of permanent employment for temporary and seasonal employees entering the civil service. During the probationary period, work (both quality and quantity) will be evaluated. If the standards of work during this period are met, status as a permanent employee will be granted. If the work is not at acceptable levels, the employee may be dismissed without the right of appeal or hearing.

Employees will receive notification from their supervisor upon completion of their probationary period. A five (5) percent increase upon completion of the probationary or trial period for employees at the minimum of the range is mandatory. If upon completion of the probationary or trial period the employee's salary is more than five (5) percent above the minimum of the range, the salary may be adjusted by up to five (5) percent at the discretion of the appointing authority. In no case may the salary exceed the maximum of the salary range.

### SALARIES

Civil Service appointment salaries are determined by class according to a salary schedule prepared from the classification and compensation plan from the Bureau of Human Resources.

## WORKING HOURS

A forty-hour (40) workweek is basic for CSE. All CSE will be at work on time and leave when scheduled to leave. Being late for work makes it inconvenient for those people already on duty. If for some reason you must leave early, see your supervisor first or, the Superintendent or Human Resources Director.

The calendar workweek is from 12:01 a.m. Sunday morning to 12:00 midnight Saturday. Hours above forty (40) hours per week are overtime and will be authorized only in emergencies or unusual circumstances. Overtime must be requested by the supervisor and approved by the Superintendent and/or Director of Human Resources in advance.

All Civil Service Employees must complete Leave Request and Time Reporting in SNAP. The Leave Request system allows employees to request leave online and the Time Reporting system allows employees to enter hours work online. Leave requests and hours worked are approved online by the supervisor and then sent electronically to Payroll for processing. It is critical that the employee submits their timesheet by the deadline set by HR each month.

**DEFINITION OF WORKWEEK** -- 12:01 a.m. Sunday to 12:00 p.m. Saturday.

The PAY CYCLE is 22<sup>nd</sup> of the month through the 21<sup>st</sup> of the following month.

**UNAUTHORIZED WORK** - Hours worked by an employee without the administration's permission or contrary to instructions will not be paid and may be grounds for disciplinary action.

## COFFEE BREAK(S)

According to the State of South Dakota Policy Handbook, full-time employees are allowed two (2) fifteen (15) minute breaks and part-time employees are allowed one (1) fifteen (15) minute break. Each employee should work out the time for their break(s) with his/her supervisor. In the case of houseparents, one adult must be with the students at all times. Employees that smoke must leave the grounds for their break(s), but must stay on the city or public streets that run adjacent to the school. Breaks cannot be banked, cannot be added on to lunch hour, or saved to leave work early. Breaks are not guaranteed, so supervisors may deny the break(s) on any given day. Since breaks are counted and paid as time worked, employee cannot be absent for more than 15 min from their work station. The 15 minutes starts the minute the employee leaves their work station and ends the minute they get back to their work station.

## OVERTIME AND COMPENSATORY TIME

On February 19, 1985, the U.S. Supreme Court issued a decision in Garcia vs. San Antonio Metropolitan Transit Authority which now brings state employees under the Fair Labor Standards Act (FLSA) provisions for overtime pay.

### Who is covered by FLSA?

Civil Service positions that are covered at the Special Schools:

Accounting	Physical Plant Manager
Building Maintenance Worker	Secretary
Cook	Senior Building Maintenance Worker
Food Service Supervisor	Senior Secretary
Houseparent	Training Specialist
Houseparent Supervisor	

All other Civil Service classifications are exempt from the overtime provisions of FLSA.

### FLSA EMPLOYEES

Employees eligible for overtime compensation will be compensated with a combination of dollars and time for overtime (overtime is considered the hours physically worked during a workweek). Employees will be compensated at “time and half” for their overtime. The “time” will be compensated in dollars and the “half” will be compensated in comp time earned. Compensatory time off for overtime worked may be taken any time during the pay period with the concurrence of the supervisor. Comp time needs to be used before sick leave, annual leave, personal emergency leave, and/or leave without pay can be used. Employees may have their compensatory time carried forward to subsequent pay periods. The maximum accumulation of compensatory time is 40 hours. Supervisors are expected to adjust the workweek, when possible, to avoid an overtime liability. If annual or sick leave in combination with hours worked totals more than 40 hours during the workweek, the amount of leave an employee takes will be reduced to bring the total hours paid to 40 hours for the week. If both sick and annual leave have been taken in a week that requires adjustment of leave, the sick leave must be adjusted before the annual leave.

The provisions of this Act obviously will have a tremendous fiscal impact on our personal services budget; therefore, administration will take a conservative approach to the authorization of overtime work. If possible, overtime will be avoided completely to minimize liability and reduce what might cause a severe drain on our personal services budgets. Supervisors are responsible for establishing work schedules in such a manner that overtime hours are nonexistent or at least extremely minimal. Overtime must be requested by the supervisor and approved by the Superintendent or Human Resources Director in advance.



## **CLOSING OF SCHOOL**

If the school is administratively closed and an FLSA employee is required to work, the employee must be granted either:

- A. Time off later equal to the hours actually worked when the office was closed in addition to payment for hours actually worked, or;
- B. Straight time pay equal to the number of hours actually worked, in addition to payment for actual hours worked when the office was administratively closed.

## **HOLIDAY PAY**

If an employee was scheduled to work on a holiday and refused to do so, no payment may be made for the holiday (BRH Ruling 55:01:21). An employee who is on leave without pay during the week when a holiday occurs will not receive holiday pay.

If a FLSA employee is required to work on a holiday, the employee must be granted either:

- A. Time off equal to the hours actually worked on the holiday (not to exceed eight (8) hours), either within the pay period or later, in addition to payment for the hours actually worked, or;
- B. Straight time pay for the number of hours actually worked on the holiday (not to exceed eight (8) hours), in addition to payment for hours worked on the holiday.

If more the forty (40) hours are worked, exclusive of the eight (8) unworked holiday hours, then time and one-half is paid for those hours over forty (40) for FLSA employees.

## **INCONVENIENCE PAY**

FLSA employees, who have fulfilled all the following conditions, are guaranteed a minimum of three (3) hours pay regardless of the hours actually worked:

- A. Completed the normal shift and left the workplace;
- B. is unexpectedly required to return to work; and
- C. is called to work prior to the beginning of the next scheduled shift and does not continue working into the scheduled shift.

Employees who are called back to work prior to the beginning of their scheduled shift and are allowed to continue working through the shift are not eligible for inconvenience pay. Inconvenience pay hours, that are not worked, are paid at straight time. Only the hours actually worked are used in the computation of overtime.

## **ON-CALL TIME**

FLSA employees who are not required to remain on the employer's premises or at a location specified by the employer and who are free to engage in their own pursuits are not considered to be working and the hours are not compensable. Employees who use beepers or who are subject only to the restriction that employees leave word with the employer or another party where they can be reached by the employer are also not working and the hours are not compensable. When employees are called out on a job assignment, only the time actually spent working is considered as hours worked. Inconvenience pay for up to three (3) hours may also be required if the employee must leave his home for the work site.

## **TRAVEL TIME**

Time spent in travel for FLSA will be counted as hours worked. Layovers at airports where the employee is not free to pursue personal interest is also included as time spent in travel and must be counted as hours worked. Hours in which employees are free to do as they please are not compensable.

## **RECORDKEEPING**

All FLSA employees will maintain and submit complete records of hours worked and leave time.

## **CS -NON-FLSA EMPLOYEES**

CS Employees who are exempt from FLSA are not eligible for additional compensation or time off based on the number of hours worked over forty (40) hours per week. CS Non-FLSA employees are compensated not for the amount of time spent on the job, but rather for the general value of services performed. CS Non-FLSA are not eligible for compensatory time. Supervisors are expected to schedule the normal workweek for CS Non-FLSA employees. Supervisors may adjust the schedule of work within the pay period.

## **LEAVE TIME**

Deductions of less than one day (8 hours) due to any purpose other than Family Medical Leave are not permitted by the State of South Dakota. Non-FLSA employees may leave the work site for less than eight (8) hours, with the prior approval of their supervisor, and need not take leave for the time. Before time away from the job is approved, supervisors and employees are to ensure that the needs of the students, public, and other state employees who rely on them are met.

If a non-FLSA employee has actually worked forty (40) hours in the workweek, no leave time should be taken. Salaried employees must continue to obtain approval from their supervisor prior to any absence from work. When a non-FLSA employee is working for a period of less than one (1) day, the employee is working a "non-standard workweek."

## **HOLIDAY PAY**

If an employee was scheduled to work on a holiday and refused to do so, no payment may be made for the holiday. Non-FLSA employees who are on leave without pay during the workweek when a holiday occurs will not receive holiday pay.

## **TRAVEL TIME**

Time spent in in-state or out-of-state travel during normal working hours shall be recorded as hours worked. Time spent as a passenger in in-state or out-of-state travel outside normal work hours shall not be considered as hours worked unless actual work is performed by the employee. Hours in which employees are free to do as they please are not considered work time.

## VACATION, SICK LEAVE AND HOLIDAYS

In determining the hours worked by an employee within a given workweek, time spent on vacation, sick leave and holidays will not be counted as time worked. Such time off must be included in straight-time pay for employees covered by the Act, but it is not included in computing hours of work for overtime pay.

## RECLASSIFICATION FOR CIVIL SERVICE EMPLOYMENT

(BOR: CSA Classification Appeals/General CSA Grievance Procedures; Number 4:9)

Any civil service employee may request the reclassification of his/her position. All actions must be completed online, within the Online Employment System. This can be accessed at <http://snap.sdbor.edu>. Once logged into the site, the link can be located on the Employee Tab, under My Employment Details Channel, Job Description. For assistance please contact the Human Resources Office.

## ACCESS TO EMPLOYEES' RECORDS

Supervisors may review position history files or performance files. The review will be done in confidence with the Superintendent and Human Resources Director. An employee may review his/her personal file that is kept in the Human Resources Office. He/she must ask the Human Resources Director to remove the folder from the file, and it cannot be removed from the office. An employee has the right to obtain a copy of the contents of his/her personal file or any other pertinent data that directly relates to his/her file. The cost of the copy shall be borne by the employee.

Note: A sign-out/sign-in form is in each employee's personal folder to show who has removed information from the folder.

## PERFORMANCE APPRAISALS (ACES)

The State of South Dakota has a formal Accountability and Competency Evaluation System (ACES) for its Civil Service Employees. In this system there are two components of performance: Accountabilities (what gets done- basically the duties or results) and competencies (how the work gets done – or behaviors). Both accountabilities and competencies need to be considered together to get an accurate and complete picture of performance. Probationary employees are evaluated after 3 months and 5 months of employment to see how well they are progressing. These performance reviews will be reviewed by the Human Resources Director to decide whether the employee passed their 6 month probationary period. After completion of probation Civil Service Employees have one yearly evaluation.

## FACT FILES - SDSBVI

The purpose of CSE fact files is to aid the supervisors in substantiating employees' performance appraisal scores. The contents of the fact file will include exceptional accomplishments or offenses. Each document being placed into the employee's fact file must be read, signed, and dated by both the supervisor and the employee. The employee has the opportunity to comment or refute documents being placed in the fact file (if employee is a status CSE). All contents of the fact file will be destroyed after the performance evaluation is completed for the year. Fact files will be maintained in the employees' personnel files in the Human Resources Office.

## TRAINING IN MANAGEMENT AND PERFORMANCE APPRAISAL

Within six (6) months of appointment to a supervisory or management position, an employee must complete forty (40) hours of training in the South Dakota achievement evaluation system and basic supervision. In addition, within three (3) years of appointment to a supervisory or management position, the employee must complete an additional forty (40) hour course in supervision or management training approved by the Bureau of Human Resources. Credit for previous training will be considered on an individual basis. Criteria used shall include, but not be limited to, recency and relevancy to public management.

## DISCIPLINARY ACTION

Forms of disciplinary action may be taken for unsatisfactory job performance as outlined in BHR Ruling 55:01:12:03.01 and for reasons outline in BHR Ruling 55:01:12:05 and may include suspension without pay, dismissal, demotion, or reduction in salary. For addition information go online <http://legis.state.sd.us/rules/>

TERMINATION OF STATE EMPLOYEES: Please refer to “General Handbook.”

LAYOFF PLAN AND REEMPLOYMENT PROCEDURES: Please refer to “General Handbook.”

## GRIEVANCE APPEALS

The purpose of the grievance appeals procedure is to provide a just and equitable method for the resolution of complaints and grievances without discrimination, coercion, restraint, or reprisal against any employee who may submit or be involved in a complaint or grievance.

Prompt settlement of complaints and grievances is necessary to have sound relations between the Board of Regents and its employees. Whenever an employee feels adversely affected by a management action about his job, benefits or conditions of work, he shall pursue settlement of the matter through the established grievance appeals procedure. For additional information and the steps of the procedures to follow go online [www.sdbor.edu](http://www.sdbor.edu) (BOR Policy Number 4:9).

## ADDITIONAL INFORMATION

Any time any CSE employee has questions not covered in this handbook, he/she should go to the Human Resources Director to get answers. Don't speculate; ask!