



**The Commonwealth Human Resource Management System:
Senior Level Leader HR Overview**

**Office of Administration
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This handbook is not an employment contract. It does not confer any rights or privileges upon employees. Employment with the commonwealth is at will. This means that the commonwealth reserves the right, subject only to the express terms of an applicable labor agreement or statute, to terminate an individual's employment at any time for any reason or no reason. Except where the express terms of a labor agreement apply, the commonwealth's policies, rules, orders, directives, and circulars shall be controlling with respect to the eligibility for employee benefits. The commonwealth's rules, policies, orders, directives, and circulars may be changed from time to time at the sole discretion of the commonwealth.

In the case of any discrepancy between this handbook and any current commonwealth policy, rule, order, directive, circular, or labor agreement, the latter will prevail.

Introduction

This resource is designed for new executive and senior-level managers in agencies under the Governor's jurisdiction. It provides a broad overview of the unique features of the commonwealth human resource (HR) management system. Though not exhaustive in its treatment of HR policies and procedures, this guide provides answers to common questions new executives and senior-level managers may have about HR in the commonwealth.

You should contact your HR Senior Business Partner in your HR Delivery Center (HRDC) for assistance with this information. They can provide further details, advise you on procedures, and in many cases help carry out actions you may desire to take.

Further details and many HR documents can also be found at www.oa.pa.gov.

Overview of the HR Management System

To support agency and employee needs, develop policies, coordinate with labor unions, and adhere to federal and state employment laws, the commonwealth HR system includes a variety of professionals responsible for different functions. Collaboration among these functional areas is essential to ensure that HR actions are carried out effectively and timely.

The Governor is responsible for the overall management of the workforce. The Governor appoints agency heads and deputies of agencies under the Governor's jurisdiction. Additionally, the Governor serves as chairperson of **the Executive Board**, which approves the commonwealth's personnel rules, compensation and classification plans, organization structures of state agencies, labor agreements, and other administrative policies.

The Office of Administration (OA) is responsible for oversight of enterprise-wide HR policies and programs. OA's authority to set pay and compensation and to approve classifications and organization changes are conveyed as an agent of the Executive Board. For example, OA is responsible for:

- Developing and implementing statewide HR policies and procedures including the commonwealth personnel rules
- Administering classification and compensation plans
- Administering employee benefits programs
- Conducting collective bargaining
- Recruiting, referring, and processing applicants for commonwealth positions
- Providing various training and professional development programs

Numerous personnel or HR actions require that the agency consult with or receive approval from OA. Your HRDC staff will assist your agency with these actions.

An **HR Delivery Center (HRDC)** is in essence the HR office for a grouping of agencies. The HRDCs were established in 2017 with the consolidation of agency HR offices under the Governor's jurisdiction. Recent developments to the HR service delivery model resulted in the HRDC's role as business partners for talent management functions. Talent management functions, which include enterprise recruitment, talent acquisition, organization management/classification and compensation, talent development, and talent planning were centralized and consolidated into organizations that specialize in these functions to ensure the consistent and efficient delivery of the services.

The State Civil Service Commission is a nonpartisan, independent agency whose mission is to ensure compliance with the merit service employment provisions of Act 71 of 2018. The Commission conducts civil service appeal hearings; performs merit service and veterans' preference employment audits; and reviews requests to exempt jobs from the classified service.

Commonwealth agencies under the Governor's jurisdiction receive HR services from a staff of HR professionals in their designated HRDC. These HR professionals administer HR programs at the agency level and advise managers in each agency about the details of policies and labor agreements as well as best practices for managing employees in the commonwealth environment.

The HR Service Center (HRSC) is a shared services HR contact center that provides services to employees, managers, and HR offices. The HRSC has an

employee call center to assist employees with benefits questions, personal data changes, and other general questions about employment. The HRSC also processes all employee lifecycle actions in the Human Resources Information System (HRIS), provides employee Family Medical Leave Act (FMLA) and Workers Compensation case management, and administers the commonwealth safety program.

Agency representation in delivery centers is as follows:

Conservation & Environment (CE)

- Department of Agriculture
- Department of Conservation and Natural Resources
- Department of Environmental Protection
- Milk Marketing Board
- Environmental Hearing Board

Employment, Banking & Revenue (EBR)

- Department of Labor & Industry
- Department of Revenue
- PA Insurance Department
- Department of State
- Department of Banking & Securities

General Government (GG)

- Office of Administration
- Office of Budget
- Office of State Inspector General
- Council on the Arts
- Office of General Council
- Juvenile Court Judges' Commission
- PA Human Relations Commission
- Department of General Services
- PA Department of Education
- Lieutenant Governor's Office and Board of Pardons
- PA Historical & Museum Commission
- State Civil Service Commission
- PA Infrastructure Investment Authority (PENNVEST)
- State Ethics Commission
- PA Health Care Cost Containment Council

- PA Municipal Retirement System
- Port of Pittsburgh Commission

Health & Human Services (HHS)

- Department of Human Services
- Department of Health
- Department of Aging
- Department of Drug and Alcohol Programs
- Department of Military and Veterans Affairs

Infrastructure & Economic Development (IED)

- PA Department of Transportation
- PA Department of Community and Economic Development
- PA Emergency Management Agency

Public Safety (PS)

- Pennsylvania Department of Corrections
- Pennsylvania State Police
- Pennsylvania Parole Board
- Pennsylvania Commission on Crime and Delinquency
- Office of Victim Advocate
- Sexual Offenders Assessment Board
- Pennsylvania Justice Network

Employee Relations

The commonwealth has a complex employee relations environment that has resulted from law, regulations, court decisions, collective bargaining, arbitration awards, and past practices. A total of twenty unions represent various groups, or bargaining units, of both rank and file and first level supervisory employees which are grouped by a community of interest based on job duties. Labor agreements, also known as collective bargaining agreements, touch on all aspects of employment for those employees represented by a union. Agency executives and managers must take into account the provisions of these agreements to successfully manage their programs and employees. Your HRDC employee relations staff can assist you in steering a course which achieves agency objectives, but also is consistent with labor agreements and encourages labor/management cooperation.

Impact of Labor Agreements

Labor agreements have an impact on almost every action you take which involves employee wages, hours, and other terms and conditions of employment. The union serves as the exclusive representative of all employees in the bargaining unit, and all matters involving wages, hours, and terms and conditions of employment must be addressed through it. It is important to keep this in mind when interacting with union-covered staff to avoid the appearance of circumventing union involvement, or "direct dealing," on matters for which the union is the sole representative. The union must represent all employees in the bargaining unit regardless of union membership, and all of the provisions of the labor agreement apply equally to employees covered by the agreement even if they decline membership in the union.

A primary factor affecting your success in developing and maintaining a cooperative labor-management relationship is the quality and timeliness of communication with both the employee representatives and paid staff of the unions representing your agency's workforce. Inform and seek the input of union representatives into appropriate agency decisions and plans while decisions are still in the formative stage and before they have been announced. You should rely on your HRDC staff to assist you in establishing and maintaining a productive and cooperative labor/management relationship that will enable you to fulfill your agency's mission.

Collective Bargaining

All agencies under the Governor's jurisdiction constitute a single employer and are represented by OA's Bureau of Employee Relations for the purposes of collective bargaining, grievance arbitration, Pennsylvania Labor Relations Board appeals, and court actions that involve labor cases. Pennsylvania labor law permits union covered rank-and-file employees to strike when the collective bargaining process reaches impasse; first level supervisory employees do not have the right to strike. Some bargaining units, by virtue of the role employees within them have in ensuring public safety (e.g., corrections officers, State Police and other law enforcement officers), have a statutorily provided right to binding arbitration to settle disputes, in lieu of the right to strike.

Contracting for Services

In addition to those aspects of the procurement process that control acquisition of the services of a vendor to perform work, there are important employee relations considerations that come into play. Under the law, any outsourcing of work that is normally performed by in-house, bargaining unit employees must be negotiated with the unions. However, most labor agreements contain provisions that replace this bargaining obligation with a more streamlined process. A common requirement is the demonstration to the affected union that the contract for services will yield reasonable cost savings or improved service delivery. The circumstances under which this requirement exist vary across labor agreements, but failure either to meet this test or engage the union in dialogue when applicable can trigger an appeal that causes the cancellation of the contract for services. Your HRDC staff can guide your efforts in fulfilling the relevant obligations.

Grievances

Labor agreements afford unions and/or employees covered by them with the right to file a grievance if they believe a provision of their labor agreement has been violated or misapplied, their position is not correctly classified, or that a disciplinary action is improper. The Bureau of Employee Relations and your HRDC staff work closely together to manage the grievance process and work toward a prompt, compliant, and cost-effective resolution. If your HRDC employee relations staff ask you for assistance related to a grievance, please provide information and attend any necessary meetings or hearings.

Confidential Employees

A confidential employee is one who works in an area that has access to information the commonwealth may use in collective bargaining, or they work in an area where they are in a close continuing relationship with public officers or representatives associated with collective bargaining on behalf of the commonwealth. Labor agreements do not apply to these employees nor do said employees pay union dues even if their classification would normally be union covered. By agreement with the union, there is a cap in each agency on the number of employees in this category.

Complement Management

Complement

Each agency, and often each funding stream of the agency, has a maximum authorized complement. This complement is the maximum number of salaried positions¹ an agency may have at any given point in time. The Office of the Budget establishes the salaried complement number. An agency may also have an authorized number of wage positions², which are not counted toward the maximum salaried complement. Your HRDC staff will help you to manage your complement.

Staffing

Enterprise recruitment

Staff in the Bureau of Enterprise Recruitment promote commonwealth employment by participating in a wide variety of recruitment events statewide; partnering with agencies to host commonwealth job fairs at our facilities; sourcing candidates through numerous means, including social media, recruitment tools, and online job boards; and, visiting high schools, vo-tech schools, and colleges to speak with students and facilitate relationships, including those serving diverse populations as well as veterans. Additionally, when an agency has or anticipates vacant, hard-to-fill positions, recruiters build and implement specialized recruitment plans specific to the positions. Your HRDC will be able to provide recruitment assistance.

Filling a vacant position

How a vacancy is filled varies based on the type of position. Positions can be civil service or non-civil service depending on whether or not certain criteria prescribed in the Civil Service Reform Act apply. In addition, a position may be union covered, in which case additional procedures for hiring or promoting into these positions are covered by labor agreements.

In many cases, a position must be posted (advertised internally) to allow any qualified

¹ A salaried position's work schedule is regular and predictable for a period exceeding six months, and authorized/established through the budget and/or appropriation process.

² A wage positions' work schedule is regular or is intermittent or irregular without regard to the duration of the term of employment. (e.g., interns, annuitants, etc.). While still requiring necessary personnel funding, wage positions are not established through the appropriation process.

and interested applicant to apply. How an applicant is selected to fill a position may depend on seniority, performance, qualifications, and/or examination result.

Because procedures to fill each position are unique, your HRDC will advise you about how to proceed in each case.

Union Covered Positions

Promotions to some positions covered by labor agreements are governed by seniority. In these cases, the most senior employees in the next lower job classification in the bargaining unit who apply for the position have rights to these jobs. Such rights may be superseded in some cases through the use of civil service lists, but each labor agreement is unique and your HRDC will advise you on specific protocol for the position you are filling.

Civil Service Positions

Persons hired or promoted into civil service positions must be selected using merit procedures, including using eligible candidate lists established as a result of examinations and in accordance with the terms of any applicable labor agreement, civil service rules, and the Veterans' Preference Act.

Many civil service positions can be filled in a number of ways, including appointment of applicants not working for the commonwealth, promotion from within, transfer from another agency, etc. You should discuss the benefits and limitations of each option with your HRDC.

You may also be able to promote individuals who have not taken an examination into these positions, provided that they meet all requirements of the position and posting requirement, per the Civil Service Reform Act. Employees selected for promotion in this manner must have regular civil service status in the next lower classification and meet the minimum requirements for the higher job.

Non-Civil Service Positions

A position may be non-civil service because it is located in an agency or occupation that is not identified in the Civil Service Reform Act, it has not been deemed to be covered by civil service by the Executive Board, or it is

exempt on the basis of specific criteria detailed in the Civil Service Reform Act. The majority of positions not covered by civil service are high-level policy making managers; attorneys; positions in the policy, press, or legislative offices; or positions responsible for both skilled and unskilled work such as custodial workers, some clerical positions, inspectors, food service workers, and laborers.

Senior Level Positions

All non-civil service senior level positions require the approval of the Governor's Office and OA, Deputy Secretary for Human Resources and Management prior to hiring, promotion, and transfer. Non-civil service senior level positions include deputy secretaries, senior management service staff³, executive assistants, legislative liaisons, press secretaries, and other non-civil service positions in Pay Scale Group 9 and above.

Probationary periods

All employees, upon appointment or promotion, serve a probationary period that typically lasts a minimum of six months. There are two types of probationary periods, civil service and contractual. A civil service employee who is covered by a labor agreement serves both types of probation concurrently. An employee who is civil service but not covered by a labor agreement serves only the civil service probationary period and a non-civil service employee who is covered by a labor agreement serves only the contractual probationary period.

During the employee's probationary period, supervisors should evaluate the employee's performance and determine their fitness for continued employment in the position. A performance evaluation reflective of this determination must be completed by the supervisor before the end of the probationary period. During this period, an employee who was promoted, but is unable to function successfully in the higher classification, may be returned

³ Employees in the senior management service (SMS) have broad policy formulation and program management responsibility. They serve at the pleasure of the agency head in the capacity of bureau directors, superintendents, regional or district office managers, and comparable policy making and program management positions. Compensation (pay and benefits) of SMS staff is in accordance with the rules and regulations of the Executive Board. The SMS does not include positions exempted from the classified service that are normally filled by the Governor's Office and agency heads, such as deputy secretaries, press officers, legislative liaisons, and other positions that serve in direct staff or policy making capacity.

to their previous position. Newly hired employees who are unable to successfully complete their probationary period are subject to dismissal. An employee's probationary period can be extended if the extension of time can be expected to bring performance to an acceptable level.

Promotions

There are two basic methods to accomplish a promotion: fill a vacancy with an employee who is at a lower classification level or reclassify a filled position and promote the incumbent. Reclassification requires a review of the position and a determination of whether the work assigned is above the position's current classification. Your HRDC will coordinate this review.

Demotions

A demotion is the reassignment of an employee to a position in a lower pay scale group or, in some cases, to a job with a lower minimum pay rate.

Demotion may result from poor performance on the part of the employee, when the employee is not performing at the level required by the position/classification.

Also, if the job duties change and the current classification no longer applies, an employee may be demoted. Generally, a classification audit of an employee's duties and responsibilities indicates that the employee is performing at a lower level and the position is reclassified downward.

Employees may be demoted involuntarily, through an action initiated by you or by your HRDC. An employee can also request a voluntary demotion. Anticipated demotions should be discussed with your HRDC prior to implementation and must be in accordance with applicable civil service rules and labor agreements.

Separations

Employees end their employment in a number of ways. They may resign their position or retire. These are voluntary separations. However, involuntary separations occur as well.

Furlough

A furlough is similar to a private sector layoff and is the removal of an employee from a position due to lack of work, lack of funds, or other operational reasons. A furlough occurs most often when a facility is closed, a program discontinued, or funding reduced.

Furloughs should not be proposed under any circumstance without prior consultation with the Governor's Office and OA. Furloughs are extremely intricate to implement because of seniority rights, civil service rights, and public relations. Your HRDC and fiscal staff should be consulted through all steps of the furlough procedure.

Termination

Employees may be terminated as the last step in a progressive discipline procedure or for egregious policy violations or actions. Consult your HRDC any time you believe termination of an employee may be necessary.

Organization Management

Reorganizations

The Executive Board must approve the creation, revision, and abolition of bureaus, divisions, and other organization structures at the division level and above. OA, Bureau of Organization Management (BOOM) reviews requests for reorganization to ensure changes will result in streamlined operations, reduced costs, and improved services, while following proper organization structuring concepts and staying within budget. Also, proposed organization changes that may impact the terms and conditions of employment for union represented employees are discussed with appropriate employee representatives. The agency head is required to forward a reorganization plan, which includes existing and proposed organization charts, functional statements and staffing charts, as well as overall justification, to OA, BOOM for review and consultation. The complete reorganization plan is then forwarded to the Executive Board for approval.

Classification

The purpose of the classification system is to ensure equitable compensation of commonwealth employees based on the duties that are assigned and performed. It provides the foundation on which to justify pay for a wide variety of occupations and many levels of work. Approximately 2,600 job specifications in the Classification Plan are used to classify the work performed by the majority of commonwealth employees. Equitable compensation of commonwealth employees based on the work assigned to their positions is guaranteed by accurate job specifications, consistency in the application of the job specifications, and appropriate and consistent pay scale group assignments.

Each position in the commonwealth has an associated position description that is prepared by the position's supervisor, which lists the duties, responsibilities, and essential functions of the work to be performed. OA HR staff use the position descriptions and additional data to allocate each position to a job classification based on the duties assigned and performed. In addition to the appropriate level of compensation, the classification of a position impacts if it is subject to Civil Service rules or labor agreements, and other important factors.

An evaluation of a new or existing position's classification can be initiated by the employee in the position, managers in the agency, OA, or the union, if applicable.

Agencies may make the request for specific classifications; however, the duties/position description will be reviewed by OA, BOOM staff to determine the best classification based on the level of the work. Your HRDC staff will coordinate with OA, BOOM as required to classify positions.

The Classification Plan is constantly evolving to reflect the current work and requirements of individuals who perform that work. If no existing classification appropriately describes the work under review, your HRDC staff may prepare a request to create or revise a job specification. OA, BOOM reviews the request and determines if a new classification is required, coordinates the creation of the proposed job with the Bureau of Talent Acquisition and appropriate union, where applicable, and then forwards the request to the Executive Board for approval.

Pay

OA manages pay centrally for the commonwealth. Agency heads, deputy secretaries, and managers do not choose the amount to be paid to commonwealth employees.

Each classification whose salary is not set by statute is assigned to one of several commonwealth pay schedules depending on the type of position. For example, distinct pay schedules exist for corrections officers and State Police, but most positions are assigned to the standard (ST) schedule. Classifications are assigned a pay scale group within the schedule that denotes the minimum and maximum salaries for a position in the classification. The pay scale group is determined based on level of responsibility, breadth of assignment, accountability, and other factors to ensure pay equity in the commonwealth.

New employees are hired at the minimum pay scale level in the pay scale group assigned to the position. Agency heads have limited authority to grant salary commitments above the minimum pay scale level under certain circumstances. Consideration should be given to both the impact and the effect on internal relationships of such an action. Your HRDC can advise you regarding applicable procedures.

Pay Increases

Pay increases are negotiated for employees covered by a labor agreement. The Executive Board grants increases to non-union employees.

HR Service Center

The HRSC helps employees with common HR, benefits, and pay matters like updating personal data, changing payroll options, and managing benefits. The HRSC also transacts many personnel actions on behalf of agencies, administers SAP role security and workflow, and manages a variety of enterprise HR applications. Your HRDC and employee self-service (ESS) are important parts of your workplace support.

If you have questions about where to go for what, you are always welcome to call

the HR Service Center at 866.377.2672, Monday through Friday from 7:30 am to 5:00 pm. Through the use of the latest technology, a substantial amount of information is available to employees and supervisors at their convenience.

Employee Resource Center

The Employee Resource Center (ERC), located at www.employeeresourcecenter.oa.pa.gov, is the go-to source for employees to access information about health benefits, pay, leave, training, and other work topics, as well as to interact with human resources. The ERC lets employees handle many of their own HR tasks at their convenience, including changes to personal information, payroll options, health, and other benefits.

Employee Self Service

Employee Self-Service (ESS) is used by employees to view and manage HR data like time-off requests, pay statements, and leave balances. Other HR processes like benefits enrollment are performed in ESS, in addition to the approval of workflows that support various administrative processes. ESS can be accessed at www.myworkplace.pa.gov on both a desktop and mobile device.

The HRSC provides an online onboarding process for new employees to deliver a consistent introduction to the commonwealth. It provides a means to collect required employee data, as well as providing information on commonwealth policies and HR and benefits information.

Your HRDC is an important part of your workplace support. Contact them if you or your employees have questions about leave or time issues, performance evaluations, training and development, workplace accommodations, safety, SEAP, promotions and new opportunities, work rules, union matters, workers' compensation, or unemployment issues.

Benefits Administration

Health Benefits

Health benefits are offered to eligible employees and their dependents through the Pennsylvania Employees Benefit Trust Fund (PEBTF). All employees under the Governor's jurisdiction (except for Pennsylvania State Police enlisted members) are covered under the PEBTF. The PEBTF provide medical, dental, prescription, vision, hearing aid, wellness, and other health-related programs through their vendors. The PEBTF Board of Trustees (consisting of management and union trustees) has the sole discretion to determine the extent and level of benefits. Agency heads, deputy secretaries and managers cannot negotiate the level of benefits, eligibility rules, or employee contributions.

Life and Voluntary Benefits

Voluntary insurances including home/auto, disability, critical illness, life insurance, dependent care account and healthcare flexible spending account are available for employees as well. Eligible employees also receive an employer-paid term life insurance policy after 90-days of employment.

Pension Benefits

Enrollment in the State Employees' Retirement System (SERS) is mandatory and automatic for most employees. New employees have three retirement plan options – two Hybrid Plan options (that include a pension component and an investment component) and a straight investment plan component. Employees have 45 days to select their plan option. SERS also offers a deferred compensation plan 457(b).

Information regarding pension plan option and deferred compensation is available at sers.pa.gov.

Questions about benefits and how to enroll may be directed to the HRSC at 866.377.2672.

Paid and Unpaid Leave

Most employees who need or want to take time off can do so using paid and unpaid leave programs. Most paid leave types are accrued each pay period based on the schedules negotiated with the unions or provided for in the Personnel Rules.

Agency heads, deputy secretaries and managers cannot negotiate the amount of leave employees can use.

Most union-covered employees earn 11* days of vacation (annual) leave per year which increases throughout their career to a maximum of 24 days; 11* days of sick leave and 12 paid holidays per year; as well as up to 6 weeks of paid parental leave for qualifying events (if eligible). Annual and sick leave earned but not used carries over to the next year, up to a maximum of 45 days and 300 days, respectively. Annual leave in excess of 45 days which is not used automatically converts to sick leave after the seventh pay period in the following year.

Supervisors must approve leave, and in some cases, employees must meet certain criteria for length of service and reason for the absence to take specific types of leave.

The agency head or any manager delegated that authority by the agency head may choose to grant compensatory time for overtime work, but there are certain restrictions that apply to some management employees; and, for union-covered staff, some labor agreements require the agreement of the employee and/or union to provide compensatory time in lieu of monetary payment.

Leave under the Family and Medical Leave Act, work-related injury leave, and military leaves of absence are administered centrally by the HRSC Absence Services Team. Eligibility and approval are determined by the assigned leave specialist to ensure compliance with the applicable laws, policies, and collective bargaining agreements.

Additionally, certain positions, including agency heads, are classified as non-leave earning and leave is not accrued or entered. However, most commonwealth employees earn leave and are required to submit leave for absences that occur during their regularly scheduled work shift.

Your HRDC staff can explain which types of leave you and your staff are eligible for and how each type of leave can be used.

**Management/non-represented employees earn 14 days of annual leave per year increasing to a maximum of 30 days at 25 years of service, plus 13 days of sick leave per year. The same carryover provisions apply.*

State Employee Combined Appeal

The State Employee Combined Appeal (SECA) is the commonwealth's annual charitable giving campaign, through which employees may donate to any of approximately 1,000 participating non-profit agencies. The campaign runs for eight weeks each fall.

[Management Directive 530.23 – State Employee Combined Appeal](#) and [Management Directive 205.14 – Prohibition of Activities Not Specifically or Directly Connected with the Official Business of the Commonwealth on Commonwealth Property](#) provide guidance on permitted activities within the workplace.

Workplace Support

State Employee Assistance Program

The State Employee Assistance Program (SEAP) provides employees and their family members with access to behavioral health services before personal problems may have an affect on job performance. SEAP provides evaluation, referral, and follow-up services for employees experiencing drug, alcohol, emotional, family, marital, financial, legal, or other personal problems.

Employees can contact SEAP at 800.692.7459 or www.liveandworkwell.com; access code: Pennsylvania.

SEAP also provides on-site assistance to agencies which have experienced a traumatic event such as death, suicide, or violence in the workplace. These services can be coordinated by your HRDC staff.

Safety

Executive and senior managers play a critical role in establishing and maintaining a safe work environment for employees. In addition to protecting our work force, this is important to control costs for workers' compensation. The safety program also is a requirement for the commonwealth to maintain its workers' compensation self-insured status.

Your assistance in promoting safety will likely be requested. Our goal is to ensure that everyone can go home in the same condition in which they started their day.

Consult with your HRDC about questions regarding your responsibilities and the proper management of safety risks.

Personnel Rules and Policies

OA, the State Civil Service Commission, agency heads, and the Office of Equal Employment Opportunity all play a role in the formation and execution of personnel rules. An official document, the [Commonwealth Personnel Rules](#), is issued by OA. Issues addressed in the rules include:

- Employee conduct
- Workplace violence
- Substance abuse
- Accepting gifts

Ethics

Ethical behavior of employees is a high priority of the commonwealth. Actions taken by an employee on the job or outside of work can be detrimental to their employment. The commonwealth generally prohibits employees from engaging in any activity that creates a conflict of interest or the appearance of a conflict of interest.

For example, employees are subject to disciplinary action up to and including termination if they:

- Are formally charged with criminal conduct related to their commonwealth employment

- Are charged with or convicted of other criminal conduct such as felony charges or convictions
- Have an adverse interest in any contract between a vendor and the agency by which they are employed
- Represent any person or group in any matter pending before the agency in which they are employed

You should consult your HRDC promptly if you become aware of a potential ethical issue involving yourself or a member of your staff.

Criminal Conduct

All employee arrests must be reported to OA by the agency when it becomes aware of an incident.

Criminal charges filed against an employee may require that administrative action be taken. Any felony charges, regardless of whether they result from workplace or off-duty conduct, require that the employee be suspended without pay pending investigation/resolution of the matter. Such a suspension also is required in the event of misdemeanor or summary charges that arise from an employee's performance of commonwealth duties. Non-felony charges that do not stem from the performance of commonwealth duties must be scrutinized to determine if suspension pending investigation, reassignment or other/no action is required to safeguard operations or ensure that safety is not compromised. In addition to investigation by law enforcement authorities, an administrative investigation of the matter underlying the charges is generally undertaken.

Employees who are incarcerated, under house arrest, subject to electronic monitoring, or subject to similar "intermediate punishment" imposed by the judicial system may not work unless approved for work release by OA.

Financial Disclosure

Certain public officials and public employees must annually disclose specific personal financial information. Statements of financial interests are filed online by May 1 of each year. New employees are to complete the forms within 30 days of hire or promotion into an applicable position.

HR and legal staff review the submitted statements. Any statements that appear to disclose a conflict of interest are reviewed by the agency and then forwarded to OA for resolution.

The statements submitted by public officials are maintained by the State Ethics Commission (SEC). The SEC makes these statements available to the public by visiting them in person or online through their e-Library.

Supplementary Employment

Employees may have a second job or what is often referred to as supplementary employment. Duties of the second position must not conflict with the employee's primary commonwealth position. Supplementary employment includes self-employment and may include unpaid volunteer work. Employees must have specific approval for supplementary employment and should submit their request to the HRSC. [Management Directive 515.18 Amended, Supplementary Employment](#), outlines the responsibilities and requirements for these requests.

If the second position is with another commonwealth agency under the Governor's jurisdiction, an employee must complete a "dual employment request" form. Depending on the nature of the employee's positions, work in the second position may need to be compensated at the rate of time and one-half.

Political Activity

Certain political activities of all employees are restricted. Parameters vary based on the type of position. Generally, no employee may participate in political activity (such as campaigning, fundraising, canvassing or poll watching) during work hours or coerce any other employee to contribute time, money, or services to a political candidate or campaign. Senior level, civil service, and other employees must observe [additional distinct restrictions](#) in performing any political activities. Employees seeking to engage in any political activity must follow the supplementary employment request process and receive approval prior to engaging in any political activity including running for an elected position.

Post-Employment Restrictions

Certain officials in top level executive positions are prohibited from engaging in specified restricted activities for a period of one or two years following their commonwealth employment. Much like other ethics requirements, these are related to preventing conflicts of interest. When leaving employment, officials subject to these restrictions will be informed about specific restricted activities.

Work Schedules and Attendance

The administrative offices of the commonwealth open and close as approved by the Executive Board. Employees are required to be at work, be punctual, obtain prior approval of leave use, report unscheduled absences in a timely manner, and comply with requests for medical statements, or any other necessary documentation.

The standard workweek is 37.5 hours. However, employees assigned to shifts mainly in 24-hour operations may have a 40-hour workweek if approved by OA.

In accordance with applicable labor agreements, agencies may establish work schedules that vary from the standard schedules. These must be approved by OA. According to most labor agreements, an alternate work schedule must result in an improvement in operational efficiency and/or client service, except when the schedule is required for an individual as a reasonable accommodation pursuant to the Americans with Disabilities Act.

Office Closings

At times, offices may close for emergencies or other reasons. In accordance with [Management Directive 530.17 Amended](#), Partial and Full-Day Closings of State Offices, only the Secretary of Administration has the authority to approve office closings for the Capitol Complex, Harrisburg area, and the Philadelphia, Pittsburgh, Scranton and Reading state office buildings. Agency heads may authorize heads of field offices outside of those areas and buildings to close due to hazardous road conditions, emergency circumstances, and other conditions. When possible, decisions to close or remain open should be made after consulting with other agencies that have employees in the same building or same geographical area. **All office closings must be reported to the OA, Bureau of Employee Benefits at ra-**

oaclosings@pa.gov. For questions or to coordinate any office closing, OA is available to provide assistance at 717.787.9872.

Equal Employment Opportunity

The commonwealth is proud to be an equal opportunity employer, supporting work force diversity. Agencies must ensure that each work site is free from discrimination and sexual harassment. The policy prohibits all agencies under the Governor's jurisdiction from discriminating against any commonwealth employee or applicant for employment because of race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, gender identity or expression, national origin, disability, and AIDS or HIV status. Each agency implements policies and practices that ensure all employees and applicants receive equal opportunities in recruitment, hiring, promotion, training and all benefits and privileges of employment. The OA's Office of Equal Employment Opportunity (OEEO) receives and processes EEO complaints and disability accommodation requests. All complaints will be taken seriously and handled in a professional, confidential manner. OEEO can be reached at 717.783.1130

Disability Accommodations

Agencies must provide all qualified applicants and employees with disabilities with reasonable accommodations in accordance with commonwealth policy and state and federal law. Individuals with disabilities shall be treated with respect and dignity and shall be provided access to commonwealth services, programs, activities, and employment opportunities. No commonwealth agency under the Governor's jurisdiction shall discriminate against any individual because of a disability.

Enforcement

Enforcement of policies and work rules is a critical part of supervising all or part of an agency workforce. Civil service rules and labor agreements impact how discipline must be carried out.

Employee discipline should be determined on an individual basis, taking into account the seriousness of the offense, the relationship of the offense to the employee's work, the effect of the offense on the public's trust in state government, and the employee's work record with the commonwealth. Discipline should be corrective and, where appropriate, progressive in nature and designed to encourage the employee to conform to established standards of performance or conduct.

Consult your HRDC staff before disciplining employees. The HR staff is knowledgeable of relevant labor agreements, court cases and arbitrations, and laws and regulations that can have an impact on successful implementation of discipline.

Employee Development

Performance Evaluations

A standardized Employee Performance Review (EPR) is used for most employees. Employees must be evaluated annually and receive a progress review midway through the year. Agency heads can establish a single rating cycle for the entire agency or different rating cycles for organizational units within the agency.

EPRs should be completed within 30 calendar days of the end of the rating cycle by supervisors familiar with employee work performance. Each evaluation is reviewed and signed by the immediate supervisor (reviewing officer) of the supervisor (rater) who completed the EPR. This review is to ensure that performance standards are consistently applied to positions of a similar nature and are consistent with overall agency standards and work expectations.

Interim performance reviews

An interim performance review is an evaluation conducted outside of the normal rating cycle. Interim performance reviews should be completed if:

- The employee's work performance or work assignments change significantly
- There is a change in an employee's supervisor (the preceding supervisor should prepare the rating prior to departure)
- An overall rating of unsatisfactory was given in the last evaluation and the employee was retained
- At any other time during the rating period when performance is not satisfactory

Interim ratings are also provided to non-civil service non-union represented employees within six months of being hired or promoted.

Unsatisfactory performance

Many options exist for managing employees who do not perform their duties satisfactorily. You should consult your HRDC staff to determine the best approach that complies with labor agreements, requirements and procedures.

Training

OA's Bureau of Talent Development (BTD) provides multiple forms of developmental opportunities to commonwealth employees such as leadership programs and curricula designed for both new and existing supervisors.

Performance consultants within BTD provide organizational development and other performance management consultative services, in addition to guidance and operational support to delivery centers and agencies.

Enterprise mandated training for employees and supervisors is developed and provided by BTD to meet compliance requirements for Management Directives and Policies. BTD serves as the business owner and as such has care and control of the following Management Directives: [535.5 Amended – Out-Service Training](#) and [535.1 Amended – Employee Training and Development](#).

Commonwealth University

Commonwealth University is a catalog of online and in-person courses available to all employees and is organized by categories such as:

- Professional Development
- Supervisory Skills
- Microsoft Skills
- Lean
- Access Academy (Accessibility)
- Diversity, Equity, and Inclusion (DEI)

The catalog is released every Fall and Spring and is open to all employees.

Agency-specific or programmatic training may be provided by your agency. You can learn about training opportunities for you and your staff through your HRDC and online via ESS under the "My Training" tile.

For out-service training and out-of-state training, the commonwealth's fiscal circumstances demand a prudent approach for approval. When possible, agencies should seek to use internal resources and alternative approaches.

Additional Opportunities to Learn about HR

The OA offers trainings on HR and related topics for managers and supervisors. Intended to help you better understand critical personnel management processes, many of these are required for all new supervisors. To find a schedule of OA course offerings, visit the [OA Training and Development](#) page or ask your HRDC.

Further details and many HR documents can also be found at www.oa.pa.gov.

HR Reporting

Each year the HR Analytics and Program Support Office publishes the State Government Workforce Statistics dashboard and report that contain a wide variety of employment data regarding agencies under the Governor's jurisdiction. Furthermore, the team provides a full range of HR reporting services for agency HR offices, executives, and senior management upon request. Reports can be requested via an AskHR ticket in the Employee Resource Center and are typically provided within three business days.