

ADM-11.11, "Employee Clearance,"

SCDC POLICY/PROCEDURE

Change 1 to ADM-11.11: Relevant Forms, 4.1

NUMBER: ADM-11.11

TITLE:EMPLOYEE CLEARANCE

ISSUE DATE: MARCH 6, 2014

RESPONSIBLE AUTHORITY:DIVISION OF HUMAN RESOURCES

OPERATIONS MANUAL: ADMINISTRATION

SUPERSEDES: ADM-11.11 (July 1, 2004); (July 1, 2001)

RELEVANT SCDC FORMS/SUPPLIES: 13-50, 16-5, 16-7, 16-29, 16-130

ACA/CAC STANDARDS:NONE

STATE/FEDERAL STATUTES:South Carolina Code Title 41 - Labor and Employment Chapter 10
(Section 41-10)

THE LANGUAGE USED IN THIS POLICY/PROCEDURE DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS POLICY/PROCEDURE DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY/PROCEDURE, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

PURPOSE: To establish guidelines for the clearance of any employee who either voluntarily or involuntarily ceases employment, or is suspended from the Agency.

POLICY STATEMENT: The South Carolina Department of Corrections will establish clearance procedures to be followed whenever an employee ceases employment, or is suspended from the Agency in compliance with all related State Human Resources Division regulations and applicable state and/or federal statutes or regulations. Further, in an effort to provide the Agency with valuable information as to the cause(s) of employee turnover, the SCDC will carry out a systematic program of conducting voluntary exit interviews with all employees ceasing employment.

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SPECIFIC PROCEDURES:

1. CLEARANCE PROCEDURES FOR AN EMPLOYEE CEASING EMPLOYMENT: Wardens, Division Directors, and members of the Director's staff or their designees will ensure that all employees who are under their direct or functional supervision are properly cleared, as follows:

1.1 Wardens, Division Directors, and members of the Director's staff or their designees (Institutional Human Resource Manager/Liaison or Divisional Liaison) will email to the following email address EmployeeClearance@doc.sc.gov as soon as an employee has provided their written resignation or the employee has been notified of termination. The email will be sent to designated employees in the Division of Human Resources, Commissary Branch, Division of Security, Division of Facilities Management (key shop), Division of Resource Information Management (RIM), Division of Transportation and Division of Training and Employee Development that an employee is ceasing employment. The email should contain the following information:

- Employee's name, title, and SCDC Employee #/SCEIS Perna Number.
- Date of separation.
- Location.
- Supervisor's name, title, email address, and phone number.

1.2 Employee Clearance/Handling of Final payroll Check: The employee is responsible for clearing at their work location with the designated individual as established by the Warden, Division Director, or appropriate member of the Director's staff. An employee working in a Central Office, i.e. Headquarters, Palmetto Unified School District, Division of Industries, etc., must also clear through the Division of Facilities Management, Key Shop, to turn in any keys that have been issued to them during their employment. SCDC Form 16-7, "Employee Clearance," must be initiated by the employee's supervisor or designee to ensure the employee clears at the Institution/Division of the physical work location of the employee. The Employee Clearance Form must be signed by the designated responsible authority at the Institution/Division indicating that the employee has turned in all items issued by the Institution/Division. A

copy of the SCDC Form 16-7, should remain on file with the Institutional Human Resource Manager/Liaison or Divisional Liaison at the work location. Once an employee is cleared at the Institution/Division, the employee should ensure they clear through all applicable areas listed on the Employee Clearance Form, i.e. Division of Facilities Management (Key Shop), Commissary and the Division of Human Resources ensuring all applicable sections are signed by them and the responsible authority for each section of the Employee Clearance Form.

An employee working in a Division located in the Headquarters Complex must also clear through the Division of Facilities Management, Key Shop, turning in any key(s) that may have been issued for access into a building or exterior office door(s) within the building.

The Division of Human Resources is normally the last location where an employee ceasing employment will clear. The Employee ID Card will be collected/deactivated or stamped as retiree (if retiring). At this time, the employee will give direction as to how to handle his/her final payroll check and will be given the opportunity to make application to withdraw their retirement contributions.

Employees should accomplish the clearance process on or before the scheduled pay date for their final payroll check.

An employee, who fails to clear by their final payroll check date, will have their payroll check mailed to them as Certified Mail by the Division of Finance, to the address as reflected on their paycheck. The payroll check will be placed in the mail at 2 p.m. on payday. Any payroll check returned to the Division of Finance will be sent to the Unclaimed Property Division, South Carolina State Treasurer's Office, according to South Carolina State Unclaimed Property Laws.

1.3 Return of Issued Items: All items issued to employees during their tenure must be returned to the appropriate issuing authority and documented on SCDC Form 16-7, "Employee Clearance." A general list of items is as follows:

SCDC Identification Card; (NOTE: See SCDC Policy/Procedure ADM-11.01, "Employee and Service Provider ID Cards," for information concerning the destruction/deactivation of the employees ID card.)
Correctional Officer Training Manual
Keys - Key Tag (Issued at Institution)
Badge
Emergency Squad Equipment
Central Offices - Key Control
Cellular Phones
Radio/Communication Equipment

Notary Seal (if issued by SCDC); NOTE: A terminating employee may reimburse the SCDC for the cost of the seal and keep it for continued use.)
Gasoline Credit Card
Telephone Credit Card
Weapons
Vehicle (if assigned)
Pagers
Any other SCDC/institutional/divisional issued items

NOTE: Uniforms - Uniforms issued by the SCDC Commissary must be turned into the Commissary Warehouse between 7:30 a.m. and 4:00 p.m. Monday through Friday.

1.4. Employees must reimburse the Agency for loaned/issued items not returned, damaged, or lost. Employees should obtain a list of items and the cost of those items from the Commissary or Division that issued the property. Payment must be accomplished through the Division of Finance, Headquarters, by cash, money order or cashiers check payable to the South Carolina Department of Corrections. A receipt will be issued and will be scanned and emailed or hand carried by the employee to the clearing authority to include the Division of Human Resources.

1.5 An employee who fails to clear by the scheduled payday for their final check will be notified in writing by the Division of Human Resources within ten (10) days from the final payroll check date that the Division of Human Resources has not received an Employee Clearance Form (SCDC 16-7) and their failure to clear by December 1 will result in the Division of Human Resources referring them to the Division of Finance for referral to the Governmental Enterprise Accounts Receivable Collections Program (GEAR) with the South Carolina Department of Revenue to collect the value of items issued by authorities, i.e. Commissary, Division of Security, for collection.

1.6 Personnel Advice Form: It is the responsibility of the employee's immediate supervisor/terminating authority/Human Resource Manager/Liaison to submit a SCDC Form 16-5, "Personnel Advice Form," with the resignation letter attached to the Payroll and Attendance Branch, along with any and all related official files, i.e., personnel, medical, training, and leave files, indicating the last date worked (or other appropriate date) in accordance with established payroll deadlines.

When a termination is disciplinary in nature, the Employee Relations Branch, Division of Human Resources, will be responsible for preparing the letter of termination to the employee and will email copies to all appropriate authorities, i.e. Warden, Division Director, Institutional Human Resource Manager/Liaison or Divisional Liaison. The Personnel Advice Form (SCDC 16-5) must be prepared by the appropriate authority at the Institution/Division and submitted to the Payroll and Attendance Branch, Division of Human Resources, with all official files, i.e. personnel, medical, training and leave by established payroll deadlines. The following must take place for any employee ceasing employment:

- Leave files must be audited by the Human Resource Manager/Liaison or Divisional Liaison before submitting the Personnel Advise Form and official files to the Division of Human Resources.
- A signed leave statement by the employee/supervisor "must" be placed in the leave file at least semi-annually (June and December) indicating the leave information is accurate and correct.
- If there is no signed leave statement, it is the Institutional Human Resource Manager/Liaison or Divisional Liaison's responsibility to audit the leave file for the current year and two (2) years prior to ensure accurate reporting of the time/leave for the employee ceasing employment.

See SCDC Policy/Procedure ADM-11.29, "Employee Record Maintenance And Confidentiality Of Information," for more information regarding inactive employee files.

1.7 Final Payroll Checks:When an employee ceases employment for any reason, SCDC shall pay all wages due to the employee on the next regular payday based on the date they ceased employment and the payroll guidelines established by the Comptroller General's Office. An employee's final payroll check will not be direct deposit.

1.8 Computer Passwords: It will be the responsibility of the appropriate supervisory personnel to notify the Division of Resource and Information Management as outlined in section 1.1 above when a user under their supervision is administratively suspended or placed on indefinite leave without pay. When there is a need to immediately revoke a users access to the automated system for other reasons, the supervisor will inform the Division Director of RIM by telephone.

1.9 Exit Interview Forms: It will be the responsibility of the appropriate supervisory personnel to ensure that the employee has been provided an SCDC Form 16-29, "Exit Interview," pursuant to Section 5., below.

2. CLEARANCE PROCEDURES FOR EMPLOYEES PLACED ON INDEFINITE LEAVE WITHOUT PAY:

2.1An employee placed on indefinite leave without pay (greater than five (5) work days) will be required to follow the same clearance procedures as those indicated for employees ceasing employment as identified in #1 above.

2.2 SCDC Form 16-5, Personnel Advice Form, must be submitted to the Payroll and Attendance Branch, Division of Human Resources, to remove the employee from payroll. When/if the employee returns to work the employee's immediate supervisor must coordinate with the Human Resource Manager/Liaison or Divisional Liaison to prepare and submit a SCDC 16-5, Personnel Advice Form, to the Payroll and Attendance Branch, Division of Human Resources, to return the employee from indefinite leave without pay. To ensure timely/accurate payment to the employee, prescribed payroll deadlines must be adhered to.

2.3 When/if the employee returns to work the immediate supervisor must coordinate in advance with issuing authorities to have items s/he may need re-issued.

3. CLEARANCE PROCEDURES FOR EMPLOYEES PLACED ON ADMINISTRATIVE SUSPENSION:

3.1 An employee placed on administrative suspension will be required to follow the same clearance procedures as those indicated for employees ceasing employment as identified in #1 above.

3.2 SCDC Form 16-5, "Personnel Advice Form," must be submitted to the Payroll and Attendance Branch, Division of Human Resources, to remove the employee from payroll. When/if the employee returns to work the employee's immediate supervisor must coordinate with the Human Resource Manager/Liaison or Divisional Liaison to prepare and submit a SCDC 16-5, Personnel Advice Form, to return the employee from administrative suspension. To ensure timely/accurate payment to the employee, prescribed payroll deadlines must be adhered to.

3.3 When/if the employee returns to work the immediate supervisor must coordinate in advance with issuing authorities to have items s/he may need re-issued.

4. RESIGNATIONS:

4.1 Letter of Resignation: An employee who intends to resign his/her employment for any reason with the Agency must submit a written notice to his/her immediate supervisor. If the reason for the employee resignation is for retirement purposes, the employee must fill out and submit to his/her immediate supervisor SCDC Form 16-130, "Retirement Resignation Letter." (Changes in BLUE amended per Change 1, dated May 20, 2019).

4.2 Under no circumstances will verbal resignations be accepted nor will any supervisor accept a verbal resignation from an employee.

4.3 An employee should submit a written notice of resignation at least two (2) weeks prior to the effective date of their intended resignation. At a minimum, the employee's letter must be dated and contain the following information: the effective date of resignation (last day worked or on paid/unpaid leave) and the specific reason(s) the employee is resigning other than "personal." (NOTE: If the employee is resigning to accept employment with another state agency, s/he must include the name of the State Agency they have accepted employment with to avoid a break in service and loss of sick leave. Payment for annual leave upon termination of employment with this Agency constitutes a break in service and will result in loss of sick leave.)

4.4 If an employee is permitted to resign his/her position in lieu of termination or investigation of charges of misconduct, the resignation letter must state: "I voluntarily resign my position with the South Carolina Department of Corrections."

4.5 Once an employee submits a signed letter of resignation, the resignation will be firm and automatically accepted by the Agency. To rescind a resignation, an employee must forward a written request through the Warden or Division Director, through the appropriate member of the Director's staff to the Division Director of Human Resources, with approvals being accomplished prior to the effective date of the resignation. Any request to rescind a resignation must be submitted and approved "before" the date specified in the employee's resignation letter. (NOTE: The Warden/Division Director and appropriate member of the Director's staff will indicate their approval/disapproval on the request and will immediately forward it to the Division of Human Resources for necessary action [regardless of their approval/disapproval of the request]).

4.6 Any employee who fails to report for duty for three (3) consecutive days without notification will be deemed to have voluntarily resigned his/her position with the Agency due to abandonment of position. (See SCDC Policy/Procedure ADM-11.04, "Employee Corrective Action.") (NOTE: The clearing official will

ensure that the employee's ID card is deactivated in these cases by contacting the Recruiting and Employment Branch, Division of Human Resources.)

4.7 An employee who resigns his/her position with the Agency will forfeit grievance and appeal rights to the Agency and State Employee Grievance Process.

4.8 A decision by a selecting official to reemploy an individual should include approval of the appropriate member of the Director's staff as to whether or not the individual provided appropriate prior written notification when terminating previous employment with the Agency, and the circumstances surrounding the termination or resignation.

5. EXIT INTERVIEWS:

5.1 The Warden, Division Director, or other official who is responsible for completing the required clearance paperwork will also ensure that the employee is given a SCDC Form 16-29, "Exit Interview," to be completed as part of the clearance process. The employee will be advised that the completion of the entire portion of the form is not mandatory, but s/he must acknowledge receipt of the "Exit Interview" to ensure that the employee had the opportunity to participate in the exit interview process. The questionnaire will be distributed and processed along with SCDC Form 16-7, "Employee Clearance."

5.2 When requested by the employee, the exit interview will be personally conducted by a staff member in the Employee Relations Branch. When an employee terminates his/her employment, the "Exit Interview" form may be completed by the employee and submitted to the Employee Relations Branch in a sealed inter-departmental envelope marked "Confidential."

5.3 To the extent possible, specific information obtained during the exit interview will be kept confidential. Normally, data compiled from exit interviews will be used to identify and remedy problems in a general way within the Agency and for statistical purposes. However, exceptions may be made in cases in which such information could be useful for internal investigations, or in cases in which the safety and security of the Agency could be jeopardized. Under such circumstances, an employee may be contacted by those Agency officials determined by the Agency Director to have a need-to-know.

5.4 Quarterly, data will be compiled by the Division of Human Resources and made available to the Director and his staff providing information and statistical data relating to information provided on exit interviews. This information may also be shared with Agency managers to advise them of problem areas within the Agency as well as positive aspects of the Agency.

6. DEFINITIONS:

- Employee Clearance Form- SCDC 16-7- form that must be initiated by the immediate supervisor/Institutional Human Resource Manager/Liaison or Divisional Liaison for an employee to clear of items issued to the employee by the agency upon ceasing employment, indefinite leave without pay or indefinite administrative suspension.

- GEAR: Governmental Enterprise Accounts Receivable Collections (Gear) is the collection service administered by the South Carolina Department of Revenue on behalf of other political entities throughout the State as authorized by S.C. Code 12-4-580 (enacted in 1996).
- Resignation A written notification from an employee ceasing employment.
- Personnel Advice Form- SCDC 16-5- form that must be completed and submitted to the Division of Human Resources, Payroll and Attendance Branch to remove an employee from payroll for reasons of ceasing employment, indefinite leave without pay and indefinite administrative suspension.

SIGNATURE ON FILE

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s/Bryan P. Stirling, Director

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.