

# STATE OF RHODE ISLAND EMPLOYEE HANDBOOK





# GOVERNOR DANIEL MCKEE

Dedicated, hard-working public servants are at the heart of state government. You provide the fundamental services upon which Rhode Islanders rely and effectively operate the government functions that propel the state forward.

Our individual responsibilities are diverse – from maintaining the state's roads and bridges and pristine natural resources to educating and training Rhode Islanders to attain gainful employment – but we all share a common goal: Making the state a better place to work, live, recreate and do business. I thank you for your belief in our mission and doing your part to make it possible.

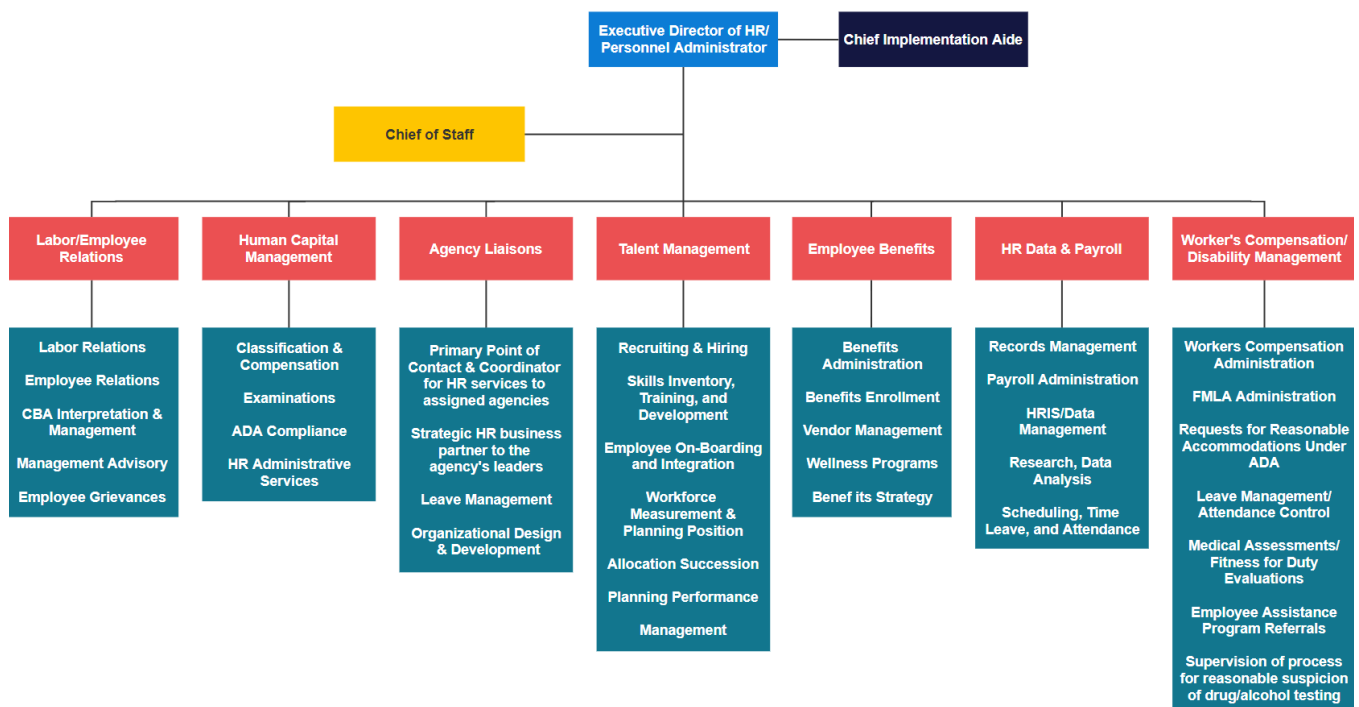


# ABOUT THE DIVISION OF HUMAN RESOURCES

## MISSION

To make State Government an Employer of Choice in the State of Rhode Island by building, maintaining, developing and providing services to a skilled workforce committed to excellence that reflects the diversity and talent of our community. To provide Human Resources service to all State Departments in support of their missions. To continually assess and enhance the services provided to ensure efficiency, appropriateness and cost effectiveness.

**Service \* Commitment \* Dedication**



# LEGAL DISCLAIMER

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This handbook is provided only as guidance to employees of the Executive Branch on some of the State's employment benefits and policies. This handbook should not be construed to be all inclusive. The handbook is not intended to replace, override or modify any federal or state law; any promulgated rule or regulation, including without limitation the State's Personnel Rules; and/or the express terms of a collective bargaining agreement.

Nothing contained within this handbook is intended to create, nor shall it be considered to: (1) create a contract between the State, its employees or applicants for employment, or any party doing business with the State; (2) create any legal or contractual obligation on the part of the State; (3) create any rights or other entitlements, contractual or otherwise, on the part of any employee or establish any past practice; (4) modify any existing or future employment relationship, including existing "at-will" employment relationships, between State, its employees or applicants for employment; and/or (5) modify or limit in any way the ability or grounds for which the State may terminate the employment of any of its employees.

The State reserves the right, in its sole discretion, to interpret, supplement, deviate from and/or suspend any of the provisions in this handbook, at any time, with or without notice. The State also reserves the right to amend this handbook, at any time, with or without notice, by modifying its existing provisions, deleting, in whole or in part, its existing provisions, and/or adding new provisions, except as would otherwise be expressly prohibited by law, rule or applicable collective bargaining agreements.

This Disclaimer applies to this, or any and all other department handbooks. This handbook completely supersedes all handbooks issued or published prior to the effective date of this handbook.



# RHODY RULES

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Below are topic areas relevant to your employment with the State of Rhode Island. Content in this section will be continually updated and expanded in the effort to provide employees with necessary and relevant information regarding workplace policies and expectations.

It is important to note that the purpose of this section is to provide guidance to employees and is not a complete review of all policies and procedures that pertain to state employment. However, this section should provide answers to many of your questions about your personal responsibilities and the benefits of working for the State of Rhode Island.

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# PERSONAL RESPONSIBILITIES

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## AGENCY SPECIFIC POLICIES AND DIRECTIVES

Many State agencies and/or programs have policies and/or directives that expressly apply only to the employees within that agency or program given the nature of the work performed and requirements necessary to conduct that business. In many cases, you will be provided those policies and/or directives by the program manager. We encourage employees to ask their supervisor about any such policies/directives.

## TECHNOLOGY ACCEPTABLE USE

The Division of Information Technology (DOIT) has an Acceptable Use Policy to ensure that employees, interns, consultants, vendors, contracted individuals, and any entity with authorized access to State information systems and data have a clear understanding of what is considered to be the acceptable and proper use of State-owned hardware and software, computer network access and usage, internet and email usage, telephony, and security and privacy for users of the State of Rhode Island Wide Area Network.

The use of State network resources are monitored and users have no right to or expectation of privacy when using State network resources. Use of State network resources are restricted to conduct authorized State business only.

For full details of the policy visit: [Technology Acceptable Use Policy](#).



## SOCIAL NETWORKING

The Department of Administration has a Policy on Social Networking that establishes guidelines for State agencies, departments, vendors, employees and any individuals with access rights to the State's networks regarding the use of Social Networking sites, including, but not limited to, Facebook, MySpace, Twitter, Instagram, Reddit, YouTube, LinkedIn and Blogger.

State personnel are prohibited from using any personal Social Networking application for State business. Any other use shall not reflect or imply he/she is speaking on behalf of or as a representative of the State or Agency, and any views expressed must be the employee's own views. The State reserves the right to monitor and/or view all Social Networking activity on State-issued devices or networks without notice or consent.

All employees are responsible for reviewing the full policy on Social Networking, which can be found at the following link: [Social Networking Policy](#).

## DRESS CODE

It is expected that all employees dress in an appropriate and professional manner. Many agencies have policies regarding appropriate dress, some of which are specific to certain positions due to the nature of the work performed and requirements necessary to conduct that business. See the section entitled "Agency Specific Policies and Directives."

Generally speaking, and unless covered by an agency specific policy or directive, appropriate wear within an office environment includes but is not limited to suits or sports jackets, dress slacks, ties, tailored dresses, skirts and blouses. All employees are expected to wear footwear appropriate for a professional office. Additionally, all clothing



shall be clean and not excessively worn, frayed, tattered, wrinkled, soiled and/or torn. Law enforcement personnel are required to wear their designated uniform at all times during working hours.

Business casual days are at the discretion of the Director. Proper attire for a business casual day includes slacks, sport shirts, polo shirts and proper footwear. Shorts or beachwear is not permissible. As professionals and representatives of your department, we ask that you use good judgment when choosing your attire for a business casual day. Employees who are due to meet with the general public or required to appear where business attire is expected are obviously still expected to dress appropriately.

At all times, including normal business dress and/or business casual days, inappropriate dress includes but is not limited to jeans, shorts, exercise clothing, sweatshirts, sweat suits, t-shirts, sneakers or other leisure wear that does not belong in a business setting. Inappropriate footwear includes sneakers, unless permitted by a valid acceptable medical excuse.

## PERSONAL USE OF STATE TELECOMMUNICATION DEVICES

Certain employees may be provided with a State-issued landline, cellular phone, or other portable communication devices if the duties and business goals will be advanced by the usage of said device. Employees who are provided with a State-issued cellular phone or other portable communications devices are required to keep the units turned on, updated and the batteries charged. Employees must have such devices in their possession when on duty or on call.

Landlines, State-issued cellular phones and other portable communication devices





are for State business use only and should not be used as a substitute for a personal cellular phone or other portable communications device; however, incidental and infrequent use for personal reasons is allowed if the use is:

- Infrequent, appropriate and short in duration
- Such that it does not involve added cost to the agency
- Such that it does not interfere with work
- In compliance with the DoIT Mobile Device Security Policy 10-04

Please see the State Controller's full policy on Usage of State-Issued Cellular Phones and Other State-Provided Portable Communications Devices at the following link: [A-69 Usage of State-Issued Cellular Phones and Other State-Provided Portable Communications Devices](#).

## FUNDRAISING IN STATE OFFICES

The State of Rhode Island encourages individual employee participation in assisting non-profit community and charitable organizations in the effort to help those less fortunate and in need of assistance.

Yet due to the time-consuming nature of fundraising activities, any individuals wishing to assist such organizations may not do so on state time, using state leased or owned property, or acting in an official capacity unless they have received prior written authorization from their Agency Director and the State Personnel Administrator.

Fundraising solicitation would include activities such as distributing flyers, sending



e-mails, or hanging posters.

Using State resources such as photocopy equipment, paper, computer equipment, or employee work time in individual solicitation efforts is strictly prohibited. Also, solicitation through e-mail without prior approval is prohibited.

This policy does not apply to employee participation in State-sponsored general campaigns with designated leadership, to include SECA.



# LEGAL REQUIREMENTS

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## EMPLOYEE CONDUCT/ETHICS

In accordance with Personnel Rule 6.02, it is the duty of every employee to so conduct himself/herself inside and outside his/her office as to be worthy of the esteem a public employee must enjoy. That Rule states as follows:

Therefore it shall be the policy of the State of Rhode Island that no state employee shall engage in any outside business activities, however remote from the function of his/her office, which would in any way interfere with the employee's performance of his/her regular duties, or embarrass or bring discredit to either the employee or the state. State employees who avoid or ignore this policy shall be subject to disciplinary action.

Furthermore, whenever a state employee shall so conduct himself/herself as to cause scandal or to lose or jeopardize such esteem, (s)he may be dismissed for the good of the service, subject to the provisions of the law and rules.

Similarly, in accordance with RIGLS 36-14-1, it is the policy of the state of Rhode Island that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable, responsive, avoid the appearance of impropriety, and not use their position for private gain or advantage. Behavior that discredits a Department and the State cannot and will not be tolerated.

Further, the Code of Ethics is comprised of a set of statutory and regulatory provisions which regulate the ethical conduct of elected and appointed public officials as well as state and municipal employees. To access specific sections of the Code, including those



provisions regarding prohibited conduct, nepotism, gifts, and revolving door, see The Code of Ethics at [www.ethics.ri.gov/code](http://www.ethics.ri.gov/code).

## HARASSMENT/DISCRIMINATION

Harassment in the work place on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation or gender identity or expression is not tolerated. Such harassment is against the law pursuant to the Fair Employment Practices Act, R.I.G.L 28-5-7.

The Rhode Island Commission for Human Rights and Equal Employment Opportunity Commission (EEOC) Guidelines define "harassment" as follows:

Harassment is verbal and/or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, national origin, age, disability or sexual orientation, or that of his or her relatives, friends or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, the following: (1) epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age, disability, sexual orientation or gender identity or expression; and (2) written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, disability, sexual orientation or gender identity or expression that is placed on walls, bulletin boards, or elsewhere on workplace premises, or in circulation in the work place,



including, but not limited to e-mails and similar materials.

Retaliation against an individual for protesting harassment, for filing a charge of discrimination or for testifying or assisting in an investigation of a charge of discrimination is unlawful and strictly prohibited.

Each State Agency's Affirmative Action Plan publication includes policies, practices and complaint procedures instituted to prevent and investigate claims of discrimination and harassment.

## **HATCH ACT AND STATE MERIT SYSTEM ACT/ POLITICAL ACTIVITY**

The federal Hatch Act, 5. U.S.C. §§ 1501 to 1508, restricts Executive Branch employees in any agency of State government whose principal employment is in connection with an activity financed, in whole or in part by federal loans or grants, from using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.

Subject to certain specified exceptions, the Hatch Act also prohibits state employees from being a candidate for any partisan elective office (regardless of jurisdiction) if the employee's salary is entirely paid for by the federal government.

Please do not assume that either your job or your political activities are not subject to the Hatch Act. Should this Act apply to you, we recommend you seek an advisory opinion from the United States Office of Special Counsel.

In addition, Rhode Island General Laws, §§ 36-4-51 to 36-4-54, contain prohibitions on classified employees from seeking the nomination of or being a candidate for any elec-



tive State Office, and also contain prohibitions on classified employees running for partisan political office, campaigning for public officials during working hours, and soliciting political contributions for or being solicited for political campaigns. Violations of these statutes can result in demotion or dismissal.

## SEXUAL HARASSMENT

The State of Rhode Island promotes a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings related to their employment is unlawful and will not be tolerated. Any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve a workplace free from sexual harassment, there are procedures by which inappropriate conduct will be dealt.

The State of Rhode Island takes allegations of sexual harassment seriously and will promptly respond to complaints of sexual harassment. Where it is determined that such inappropriate conduct has occurred, action shall be taken to prevent further offending conduct and impose timely corrective action as is necessary, up to and including disciplinary action where appropriate.

Please note that while this policy sets forth goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit the authority to immediately impose discipline or take remedial action for workplace conduct deemed unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

All employees are required to read and abide by the State's Sexual Harassment Policy, which is located at the following link: [Sexual Harassment Policy](#).





## LICENSURE

Licenses and similar certificates, registrations and permits (hereby collectively referred to as “license” and “licensure” for the purpose of this statement) from various state and/or federal regulatory bodies are required for employment in many positions at the State of Rhode Island. All personnel required to hold a license must provide current proof of a valid license as issued by an appropriate authority upon initial employment.

It is the responsibility of the individual employee to maintain the appropriate licensure during employment in positions where required and provide updated information to the Division of Human Resources in a timely manner. As such, employees must provide proof of licensure renewal on or before the renewal or expiration date.

Upon selection of a job candidate, the Division of Human Resources shall request applicable documentation and confirm that candidates are appropriately licensed.

For further information regarding the applicability, procedures and compliance of this policy, please review the full Licensure policy found here: [Licensure Policy](#).

## EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION

In accordance with RIGL § 28-5.1, equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of State employment. All policies, programs, and activities of state government shall be periodically reviewed and revised to assure their fidelity to this policy.



Each State agency has an Affirmative Action Plan publication that outlines numerous policies and practices instituted to ensure an equal opportunity/affirmative action environment.

## LITIGATION HOLD POLICY

The courts have imposed requirements regarding the preservation of documents, including electronic documents such as email that may be relevant in potential and pending lawsuits. The courts have imposed multi-million-dollar penalties, along with other sanctions, against companies and government agencies which do not have procedures in place to protect discoverable material. In addition, sanctions can be imposed against individual officials and employees within companies and government agencies for non-preservation or outright spoliation of evidence.

To ensure that the State is in compliance with these new rules, the Department of Administration, Division of Legal Services has promulgated a "Litigation Hold" policy which sets forth the authority and process for initiating, implementing, monitoring, and releasing litigation holds. This policy applies to all potential evidence in whatever form when litigation against a Department, or an employee acting within the scope of employment, has been filed or is reasonably anticipated or foreseeable. This policy also applies to litigation that has been filed, or is reasonably anticipated or foreseeable to be filed, on behalf of the Department.

This policy suspends any records retention policy that would otherwise authorize destruction, deletion or disposal of such potential evidence.

For further information, please review the full [Litigation Hold Policy](#).



If you have any questions or comments about the litigation hold policy, the Division of Legal Service is available to discuss the subject with your representatives.

## FRAUD POLICY

In accordance with the State's policy statement on fraudulent practices, all State agencies, employees, vendors, contractors, outside agencies, or persons employed by or doing business with the State or in any other relationship with the State shall: (1) Adhere to the highest standards of ethical conduct; (2) Respect the public trust and the rights of all persons; (3) Be open, accountable, and responsive; (4) Avoid the appearance of impropriety; (5) Not use their position for private or personal gain; and, (6) Prevent, identify, and, report any fraud and or corruption observed during the conduct of any business by or with the State of Rhode Island.

For further information, please refer to the State's Policy on Fraud and Fraudulent Practices which provides instruction for all State Agencies and their respective employees at: [Fraud Policy](#).



# ABOUT YOUR JOB

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## **"ACTING" ASSIGNMENTS (3 DAY RULES)**

When an employee is required, in writing by a superior, to work in a higher class of position for a period of three (3) consecutive days or more, that employee is entitled to receive the lowest salary rate of that higher class which will provide a pay increase of at least one step over his/her present base rate retroactive to the first day of such assignment. Employees on "Acting" assignments do not receive an increase in their biweekly pay. Payment for "Acting" assignments is made as a retroactive payroll adjustment for a specified time period.

For more information on "Acting Assignments", please see Personnel Rules 4.0217 as well as applicable bargaining unit contracts.

## **CIVIL SERVICE EXAMINATION**

Civil service examinations are administered to employees and/or prospective employees for competitive service positions in the classified branch of State service. Such examinations are governed by federal and state merit system principles, the Rhode Island Personnel Rules and policies/procedures established for examination.

Classified employees with temporary or provisional status are required to take the civil service examination for the class of position they hold and be reachable as defined in the Personnel Rules as being in the "top" six (6) for certification from the appropriate list (PR 4.0181). As required by the Personnel Rules, employees who are not reachable for certification shall be replaced.



All applications for examinations shall be made on a form prescribed by the Personnel Administrator and no application may be accepted after the close of the announced filing period.

The Personnel Administrator may deny admission to examination to any applicant, if the information contain in said application conclusively shows that the applicant has failed to present evidence that (s)he possesses sufficient qualifications to warrant examination, as set forth in the specifications for the class of position(s).

For more information, see Merit System Law (RIGL 36-4), the Personnel Rules, union contract (if applicable) or the Division of Human Resources website at: [www.hr.ri.gov](http://www.hr.ri.gov)

## CLASSIFICATION QUESTIONNAIRES (AKA DESK AUDITS)

If an employee believes their assigned duties and responsibilities more closely resemble the job description of another classified classification rather than their current classification, they may complete and submit a classification questionnaire. This classification questionnaire will then be utilized as part of a desk audit study conducted by Human Resources. Following the completion of the desk audit study, Human Resources will make a recommendation to the employee's Department or Agency as to the job classification that is the best fit for the employee's duties and responsibilities.

Employees may obtain a classification questionnaire/desk audit form from their Human Resources representative.

For more information, see the union contract (if applicable) on the Division of Human Resources website at: [www.hr.ri.gov](http://www.hr.ri.gov) or contact your human resources office.



## SPECIAL REQUIREMENTS

Some job classifications require certification, training, registration, or the possession of a license as a condition of appointment and continued employment in that classification. They are defined in the job description for that classification as a Special Requirement. It is the responsibility of the employee to maintain the required certification, registration, or license at their own expense. Failure to maintain a certification, training, registration, or license required for continued employment as identified in the job specification may be subject to disciplinary action up to and including termination of employment.

## STATE EMPLOYEE STATUS TYPES

The following employee types apply to the classified branch of state service only:

1. Temporary: The status a State employee holds within their first year of service when they are hired into a classified, competitive job classification without an active civil service list in place for that job classification. Per RIGL 36-4-40, 36-4-41 and 36-4-42, appeal rights to the Administrator of Adjudication or to the Personnel Appeal Board do not extend to Temporary status employees.
2. Provisional: The status a State employee holds after serving for one year of employment in a competitive job classification without an active civil service list in place for that job classification. This status immediately follows completion of the one-year temporary status period.
3. Probationary: The status a State employee holds for their first 130 working days when they are hired into either (a) a non-competitive job classification, or (b) a job classification that has an active civil service list.





4. Permanent: The status a State employee holds after successfully completing their probationary period, i.e. their first 130 working days after hire into (a) a non-competitive job classification or (b) a job classification that has an active civil service list. The Personnel Rules and/or Statutes as well as some union contracts also afford Permanent status employees additional rights/benefits as compared to other levels of employee status including certain "reemployment list" rights in the event of a layoff, certain demotion abilities, and different criteria in cases of termination of employment. Also, the Personnel Rules and Statutes stipulate that layoffs occur by classification by employee status order within a job classification.
5. Statutory: The status a State employee holds after earning twenty (20) years of service credit and only applies to employees whose base entry date is before August 7, 1996. Such employees who are subject to layoff must be retained within State service in a position of similar grade and have other, different entitlements as stated in Statute and Personnel Rules.
6. Veteran: The status a State employee holds after earning fifteen (15) years of service credit and only applies to employees who are recognized veterans and whose base entry date is before August 7, 1996. Such employees who are subject to layoff must be retained within State service in a position of similar grade and have other, different entitlements as stated in Statute and Personnel Rules.
7. Disabled Veteran: The status a State employee holds after earning ten (10) years of service credit and only applies to employees who are recognized disabled veterans and whose base entry date is before August 7, 1996. Such employees who are subject to layoff must be retained within State service in a position of similar grade and have other, different entitlements as stated in Statute and Personnel Rules.



## LONGEVITY

A change to employee's eligibility to receive longevity payments was made by the Legislature in 2011. Prior to July 1, 2011, employees were eligible to receive longevity payments, that is, a percentage increase on their base rate based on total years of service.

Pursuant to RIGL 36-4-17.2, effective July 1, 2011 all further and future longevity increases for employees ceased. For some union employees this cut-off date was slightly later due to union contract provisions.

If an employee had previously accrued a longevity payment, the employee will continue to receive the same longevity payment that was in effect as of the cut-off date.

An employee in the classified or unclassified service who terminates employment and is subsequently reemployed by the state, would be eligible to receive an aggregate longevity increase for the period of initial employment.

## YOUR PAY

Employees are paid on a bi-weekly basis following the State's payroll schedule. An employee's compensation is subject to all lawful deductions including but not limited to Social Security, Medicare, state and federal taxes, and pension contributions if applicable. In addition, there are voluntary deductions which may be elected upon enrollment in one or more voluntary benefit programs. Employees in a position that is represented by a bargaining organization may also elect to have membership dues deducted from their bi-weekly pay.

The State of Rhode Island's payroll system is an exception-based system, meaning all



exceptions to an employee's scheduled work week and scheduled hours must be reported on their timesheets utilizing established exception codes. All exceptions must be authorized by an employee's supervisor.

The State has mandated that an employee's pay be directly deposited into a single account or two accounts of their choice. Note that an employee's first pay will be in the form of a physical paycheck while State verifies the direct deposit information with the employee's banking institution. Following the clearance of this pre-note process, an employee's pay will be directly deposited into their approved banking institution. Following an employee's first direct deposit, they may logon to PaystubRI at [www.ri.gov/app/DOA/payroll](http://www.ri.gov/app/DOA/payroll) to review their bi-weekly pay information as well as other relevant pay related information and notices.

Employees may also go to the Division of Human Resources website at [www.hr.ri.gov](http://www.hr.ri.gov) for the official state calendar reflecting pay periods, pay days and official state holidays.

## SALARY INCREASES

As stipulated in Personnel Rule 4.04, the step increase schedule differs for employees based on their status and is pre-determined by the salary range assigned to the specific classification.

- Existing employees or new hires who are appointed from an employment or promotional list (i.e.: Civil Service List) or a non-competitive position will receive their first step increase upon satisfactory completion of their probationary period of 130 working days. Salary increases will occur annually from that first salary increase effective date until they have reached the maximum of their grade.



- Temporary employees: current state employees receiving a promotional opportunity and employees new to state service in a temporary status will receive their first salary increase 6 months from the appointment date. Salary increases then occur annually from the date of the first salary increase until the top step is reached in the assigned salary range.

In addition to step increases, Executive Branch employees, both union and non-union, may receive a pay plan increase as a result of collective bargaining negotiations. The amount and the effective date is determined by the State and must be approved by the Governor.

Note that salary increases will not be given while an employee is out on leave without pay with the exception of military leave. The salary increase will be given once the employee returns.

For more information regarding the employee status terminology found above, please see [STATE EMPLOYEE STATUS TYPES](#).

## WORKERS' COMPENSATION

Workers' compensation is a form of insurance providing wage replacement and medical benefits to employees injured in the course of employment. Beacon Mutual Insurance Company is the State's third-party administrator (TPA) for our workers' compensation program. Through this partnership, Beacon utilizes its state-of-the-art systems and seasoned, local adjusters, nurse case managers, disability managers and other claims professionals to manage the State employee workers' compensation claims.

To reduce the risk of workplace injuries and afford State employees a safer working environment, Beacon also provides extensive loss prevention and training services. For



more information, to include guidance and instructions on how to report a worksite injury, please visit the Beacon/State of RI website at: [www.beaconmutual.com/state-of-rhode-island](http://www.beaconmutual.com/state-of-rhode-island). In addition to providing a general overview of the workers' compensation program and the claims process, this site provides guidance on how to fill a prescription, find a doctor and answers frequently asked questions (FAQ's).

## EXEMPT POSITION COMPENSATORY TIME

All positions at the State are governed by the Fair Labor Standards Act (FLSA), Rhode Island labor laws, and state policies to ensure employees in exempt and nonexempt positions are classified correctly and paid appropriately. The Division of Human Resources is responsible for determining the classification of positions as exempt or non-exempt based on FLSA criteria and for ensuring that all employees are paid in accordance with federal and state laws.

Unlike hourly-paid FLSA nonexempt (standard) employees, FLSA exempt (non-standard) employees are accountable for their performance outcomes rather than for the number of hours or days worked and are not eligible for overtime pay. In recognition that occasionally a state of emergency or other extraordinary emergency-related event may result in an agency, department or work unit experiencing extraordinary time and effort well beyond the employees' regular work schedule, the state has effectuated the 'Exempt Position Compensatory Time' policy. The purpose of this policy is to provide compensatory time in such circumstances for FLSA exempt employees, to include the guidelines under which the compensatory time will be authorized.

To read the full policy, click here: [Exempt Position Compensatory Time Policy](#).



## REASONABLE ACCOMMODATION

As required by the Americans with Disabilities Act and all other federal and state laws and regulations as well as applicable provisions of the collective bargaining agreements, the State of Rhode Island will provide reasonable accommodation to each "qualified individual with a disability" as defined in the Americans with Disabilities Act. A "qualified individual with a disability" is an employee or an applicant for employment who is able, with or without reasonable accommodation, to perform the essential functions of the position which the individual holds or applies.

The essential functions of a position are those which the incumbent must perform and are determined based upon the specific core functions assigned to that particular position. Essential job functions may vary among positions within the same classification title. Reasonable accommodation is a modification or adaption, which the employer can provide without undue hardship, which enables a qualified individual with a disability to perform the essential functions of the position.

An applicant for employment may request a reasonable accommodation during the recruitment and selection process by contacting the individual who coordinated the interview or other recruitment activity, or by calling the Human Resources main number at 401-222-2160 at least five (5) business days prior to the interview or other activity for which the applicant needs the accommodation.

An employee or applicant may request a reasonable accommodation for a civil service examination by calling the Human Resources main number at 401-222-2160 at least five (5) business days prior to the scheduled date of the test.

An applicant who receives a "conditional offer of employment" for a position in State service shall complete the "Self-Identification of Disability and Request for Reasonable Accommodation Request" form (CS-388-A) when accepting the offer. On that form, an





applicant may choose to disclose that he/she has a disability and may request either a specific reasonable accommodation or a review of his/her need for a reasonable accommodation in order to perform the essential functions of the position for which he/she has been offered.

Current employees may request a reasonable accommodation in their current position or in a position which they have been offered by contacting the Disability Management Unit in the Division of Human Resources. This Unit may be reached through the Human Resources main line at 401-222-2160.

## FLEXIBLE WORK ARRANGEMENTS

The state recognizes the growing demands on staff and increasing challenge of finding new and better ways to provide service and meet state and agency goals. Flexible work arrangements provide a way to successfully manage people, time, space and workload. The state supports flexible work arrangements to achieve a progressive and highly productive work environment that enables employees to balance work and personal needs while providing workforce predictability and stability.

An appointing authority at an agency is responsible for identifying and determining if a flexible work arrangement is feasible within their agency, to include a determination which group or groups may benefit from such an arrangement. Included in this consideration will be what is in the best interest of the agency and the state and if the flexible work arrangement increases productivity of the employee(s) as well as the efficiency of the operations of the agency.

In order for an employee to be considered for participation in an established flexible work arrangement, the employee must meet a number of establish criteria, to include



but not limited to having been assigned at the agency and/or position for at least six months, demonstrated satisfactory performance and productivity, and having a satisfactory attendance record.

All flexible work arrangements and potential schedules must be approved by the Executive Director of Human Resources/Personnel Administrator prior to announcement and implementation.

The Flexible Work Arrangements Policy is located at [https://rigov-policies.s3.amazonaws.com/HR\\_Flexible\\_Work\\_Arrangements\\_Policy\\_3-10-19.pdf](https://rigov-policies.s3.amazonaws.com/HR_Flexible_Work_Arrangements_Policy_3-10-19.pdf) and should be reviewed in full before a flexible work arrangement proposal is submitted for approval and to ensure compliance with policies standards.

## TELEWORKING

The State's Teleworking Policy provides a general framework for assessing and approving teleworking arrangements in Executive Branch State Agencies and is designed to assist managers and employees in understanding the teleworking program's expectations and parameters.

Teleworking arrangements may provide for a more efficient and productive work environment for employees. However, telework is not suitable for all employees or positions, and therefore many employees and/or positions may be unable to participate in telework. Jobs that require independent work time, infrequent office-based face-to-face interaction, and have defined tasks with specific, measurable results are more suitable for telework.

In order for an employee to enter into a teleworking agreement, they must meet a num-



ber of program criteria, to include, but not limited to, having been assigned to an agency and position for at least six months, demonstrated satisfactory performance and productivity, be available for and attend on-site meetings during designated teleworking hours as necessary, be reachable by standard methods during regularly scheduled work hours and establish and maintain a dedicated home workspace.

To learn more about teleworking at the State, to include applicability, procedures for compliance, eligibility and the process to request a teleworking arrangement, review the full policy at: [Teleworking Policy](#).

## BUILDING CLOSURE

In the event that a building or worksite is not functioning within normal parameters and there is a health and safety concern for employees and/or the public, consideration may be made regarding the operation of the work location, including the relocation of personnel. The Building Closure policy establishes the parameters, expectations and accountability surrounding a compromised work location, to include the procedures for the requesting of a closure by an agency and the application of compensation for affected employees.

To view the full Building Closure policy, follow the attached link: [DOA Building Closure Policy](#).

## NURSING MOTHERS IN STATE EMPLOYMENT

Space must be provided at individual departments that meets the necessary requirements for nursing mothers to breastfeed or express milk during working hours. The



Nursing Mothers in State Employment policy establishes the authority, procedures, and expectations for both agencies and nursing mothers. The full policy can be found at: [Nursing Mothers in State Employment Policy](#).

## NON-EXEMPT TRAVEL POLICY

There may be times when a non-exempt or 'standard' employee (overtime eligible) is asked to travel on state business. In order to ensure compliance with government regulations and to establish the pay rules for different travel situations and compensable time periods, the Non-Exempt Travel Policy was established.

Found within this policy are the pay rules regarding travel during the workday, travel on a non-work day, travel for a one-day assignment, overnight travel, travel time as the driver of an automobile as well as travel time as a passenger.

To review the full Non-Exempt Travel Policy, please visit: [Non-Exempt Travel Policy](#).

## PRIOR SERVICE

Your Base Entry date reflects your total length of service with the State of Rhode Island, not necessarily continuous. In computing length of service for longevity and leave accrual purposes prior full-time and part-time employment is counted.

State Representatives and Senators are given two years credit for each full term served and pages, doorkeepers and clerks of legislative committees are given 60 calendar days credit for each year served. Time employed as a board or commission member paid on a daily rate, or as an individual on a monthly payroll, or as a student in an as-



sistance program at the State Colleges, is not counted toward the calculation of prior service credit.

## PROBATION

Employees hired into classifications that mandate a Special Requirement for appointment or employees hired from a civil service list, must serve a six (6) month probationary period defined as 130 days worked in the class of position. Days not physically worked during a probationary period are not considered “worked” and will extend the end date of your probation.

Per RIGL § 36-4-28, at the expiration of the probationary period, the employee shall receive permanent status in the classification unless the Appointing Authority files a statement in writing with the Personnel Administrator that the services of the employee during the probationary period have not been satisfactory and that it is not desired that the employee be continued in the service.

For definitions of any of the above terminology, to include probationary and permanent, please refer to the Definitions of Commonly Used Terms linked here: [www.hr.ri.gov/definitions.php](http://www.hr.ri.gov/definitions.php).

You may also refer to the summary of the different employment statuses found within this Handbook here: [STATE EMPLOYEE STATUS TYPES](#).



# BENEFITS

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The State of Rhode Island offers a robust and competitive benefits package that includes health coverage, group life insurance, deferred compensation, wellness programs, and much more. Visit the Office of Employee Benefits website at [www.employeebenefits.ri.gov](http://www.employeebenefits.ri.gov) to explore the full scope of benefits programs. Decision support resources are also available on the website to help you choose the benefits package that is right for you.

## RETIREMENT

Depending on whom your employer is and what position you hold, the Rhode Island General laws dictate what benefits you receive when you retire. These benefits may be different for people in high risk public service jobs, such as Police and Firemen, or may have unique provisions for counting service credit, as with Teachers. Employees' Retirement System of Rhode Island (ERSRI) administrates about 21 different benefit structures, which may include Cost of Living Adjustments (COLA's) over time, or unique retirement eligibility conditions. For this reason, some public employees are entitled to different benefits than others. To understand and plan for your retirement, you should browse their web page to familiarize yourself with your retirement benefits.

For many employees, membership in the Employees' Retirement System of Rhode Island (ERSRI) is compulsory. The majority of State employees are required to contribute 8.75% of their bi-weekly salary to the system. The State also makes a contribution to fund your retirement benefits.

Shortly after being hired, ERSRI will mail an enrollment application to your home. Once





you have completed the enrollment application, it should be returned to ERSRI following the mailing instructions included with the enrollment application.

As you near retirement, the Employees' Retirement System of Rhode Island offers free retirement counseling at our offices and at 'outreach centers' around the state.

For more information, go to the Employees' Retirement System of Rhode Island (ERSRI) website at: [www.ersri.org](http://www.ersri.org)



# HEALTH AND SAFETY

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## CDL DRUG & ALCOHOL TESTING

In compliance with the US DOT and Federal Motor Carriers Safety Administration requirements of the Omnibus Transportation Employee Testing Act of 1991, the State of Rhode Island has a Policy and Procedures Guide for Drug and Alcohol Testing of Commercial Driver's License Holders that details our alcohol and drug testing program for employees within state service who are required to possess a Commercial Drivers License (CDL) as a job requirement.

The State of Rhode Island, as a recipient of federal funding, is mandated to comply with all aspects of these federal agency's promulgated rules and regulations.

For further information and details, see the State's Policy and Procedures Guide for Drug and Alcohol Testing of Commercial Driver's License Holders available at [www.hr.ri.gov](http://www.hr.ri.gov).

## SUBSTANCE FREE WORKPLACE POLICY

The State of Rhode Island, in accordance with Executive Order 89-14 and the State's Substance Free Workplace Policy, prohibits possession, use and distribution of illegal drugs in the workplace. The only exceptions to this policy are those specified by RIGL § 21-28.6, known and cited as The Edward O. Hawkins and Thomas C. Slater Medical Mari-juana Act.

In addition, each employee is required by law to inform the agency within five (5) days



after (s)he is convicted for violation of any federal or state criminal drug statute. A conviction means a finding of guilt, a plea of guilty, regardless of the imposition of any sentence.

Employees who violate this Substance Free Workplace Policy will be subject to disciplinary action.

The State encourages any employee with a drug abuse problem to seek assistance from the Optum Employee Assistance Program (EAP) at 1-866-248-4094.

For further information and details, see the State's Substance Free Workplace Policy available at [HR Substance Free Workplace Policy CS-387a](#).

## VIOLENCE PREVENTION IN THE WORKPLACE

The State of Rhode Island is committed to providing and maintaining a safe, healthy and secure work environment, characterized by courtesy, respect and professionalism, that is free from workplace violence. Therefore, the State has adopted a statewide zero tolerance policy for workplace violence.

Accordingly, the purpose of this policy is to:

- a. Provide guidelines and direction to Executive Branch agencies and employees in preventing and/or responding to incidents of workplace violence or a perceived threat of violence in the workplace;
- b. Identify responsibilities for compliance, reporting procedures, and prohibitions;
- c. Hold perpetrators of violence accountable; and,
- d. Provide assistance, resources and support to victims.

To view the full policy, click on the following link: [Violence Prevention in the Workplace](#)



# TIME MANAGEMENT

## VACATION LEAVE

*(Exception Code V)*

Employees are eligible for vacation leave according to their length of service as stipulated by Personnel Rule 5.0614. Employees shall accrue vacation leave on an hourly basis according to the following schedule:

### For a 35.0 Hour Work Week

Years of Service	Accrual Rate	Accrual Per Pay Period (35.0 Hrs)	Upfront Hours	Total Hours Per Year
0 - 5	0.0308	2.2	14.0	70
5 - 10	0.0500	3.5	14.0	105
10 - 15	0.0538	3.8	28.0	126
15 - 20	0.0615	4.3	28.0	140
20 - 25	0.0654	4.6	63.0	182
25 +	0.0731	5.1	63.0	196

### For a 40.0 Hour Work Week

Years of Service	Accrual Rate	Accrual Per Pay Period (40.0 Hrs)	Upfront Hours	Total Hours Per Year
0 - 5	0.0308	2.5	16.0	80
5 - 10	0.0500	4.0	16.0	120
10 - 15	0.0538	4.3	32.0	144
15 - 20	0.0615	4.9	32.0	160
20 - 25	0.0654	5.2	72.0	208
25 +	0.0731	5.8	72.0	224



"Upfront hours" are credited on the date you first begin employment with the State and on January 1st every year thereafter. The number of upfront hours credited is based on an employee's total years of service with the State (calculated from the employee's "Base Entry Date" recorded on the Personnel Action CS-3 form) as indicated in the chart above.

Vacation leave does not accrue for any time during which an employee is on leave without pay.

Employees who have a combined total of 20 years of state and municipal service in Rhode Island will be credited with five additional vacation days. A Certification of Municipal Service form must be completed and approved in advance of receiving credit and can be obtained from the human resources office. The completed form must be submitted to your human resources office for submission to the Office of the Personnel Administrator for review and approval.

The accrual year shall end on the last day of the last full biweekly pay period in the calendar year.

Accrued hour balances are recorded on direct deposit receipts and may be viewed on [PayStub RI](#).

On your paystub, there are three 'buckets' of vacation accruals. The Current Year bucket reflects the current years accruals (Accrued & Discharged), to include your previous balance from the last pay period, any hours discharged or used for that pay period (Discharge), and your biweekly accrual for the current pay period. New Balance is the sum of Previous Balance and Accrued minus Discharge and is paid out upon separation from State service.



Prior Year2 bucket holds up to one year of accruals that were carried over from previous year(s). New Balance is paid out upon separation from State service.

The Prior Year bucket holds up to one year of accruals and has no cash value, meaning it does not get paid out upon separation from State service.

The Total Column is the sum of the New Balance from all three "buckets" Current Year, Prior Year2 and Prior Year.

At the end of each accrual year, up to one-year of accruals from the New Balance in Current Year moves to Prior Year2. If there is any excess over one-year of accruals in the Prior Year2 bucket, then up to one year of the excess is moved into Prior Year. Any accruals in excess of the total two year carry over is not eligible to carry into the new year and will be lost (known as 'Use or Lose').

BALANCES ARE SUBJECT TO CORRECTIONS							
BALANCES AS OF: 01/16/2021							
PERSONAL TIME BALANCE 28.0							
VACATION							
	PREV BAL	COMP ADJ	PERS ADJ	DISCHD	ACCRUED	NEW BAL	TOTAL
PRIOR YR2	196.0					196.0	
PRIOR YR	196.0					196.0	
CURRENT YR	68.1				5.1	73.2	465.2
DEFER	182.0					182.0	
SICK							
PRIOR YEAR	875.0					875.0	
CURRENT YR	.5				4.0	4.5	879.5
	START BAL	ACCRUAL	AD/DISCH	NEW BAL	HRLY		
FROZEN VAC							
2010 RED HRS(R0)	70.00			70.00	57.5686		
2011 RED HRS(R1)	35.00			35.00	59.2561		

When vacation hours are discharged, the hours will be deducted from the Prior Year bucket first, if none, then from the Current bucket, and if none, from the Prior Year2 bucket.



Pers Adjustments are corrections made to an employee's vacation accrual due to a late/amended timesheet. Comp Adjustments are automatically generated by the payroll system when an employee acquires the next Years of Service level and is eligible for additional upfront hours or at the beginning of September when the computer automatically generates the adjustment needed to ensure the employee is credited with the correct number of Total Hours per Year.

When an employee leaves state service, to include retirement, termination, resignation, death, or dismissal, the employee or their estate is entitled to be paid any accrued vacation in the Prior Year<sup>2</sup> and Current Year bucket. Hours in Prior Year bucket are not payable upon termination/retirement.

If an employee has any hours in the 'DEFER' bucket (also known as "Sundlun Days"), this amount will be paid out upon separation from state service at the employee's current rate of pay.

If an employee has any hours in the 'FROZEN VAC' bucket, this amount will be paid out upon separation from state service at the employee's current rate of pay.

If an employee has any hours in the R0 and/or R1 buckets and they leave state service for any action other than dismissal, up to four (4) days of the R0 and/or up to four (4) days of the R1 hours will be paid at the hourly rate associated with the 'R' hours. If an employee is dismissed from state service, they will not receive any payout for R0 or R1 hours that remain.

The State's Accrual System is the system of record when determining an employee's vacation payout due.

The discharge of accrued vacation leave must be requested and approved in advance and in accordance with the policy and procedures in effect at the employee's workplace.



# SICK LEAVE WITH PAY

*(EXCEPTION CODE S)*

Sick Leave is defined to mean a necessary absence from duty due to illness, injury, exposure to contagious disease, pregnancy or childbirth and may include absence due to illness in the employee's immediate family. As set forth in more detail below, employees are required to submit documentary evidence which reasonably establishes the medical necessity of an absence.

Employees in a 35-hour workweek accrue four (4) hours of paid sick leave for every two (2) weeks of work up to a maximum of 875 hours. Employees in a 40-hour workweek accrue five (5) hours of paid sick leave for every two (2) weeks of work up to a maximum of 1,000 hours. Paid sick leave does not accrue for any time when the employee is on leave without pay. The employee's sick leave accrual balance is recorded on the direct deposit receipts on PayStub RI.

Personnel Rule 5.06231 and collective bargaining agreements define "immediate family" to include: spouse, domestic partner, child (including foster child), brother, sister, parent, parent-in-law, grandparent or other relative residing in the employee's household. Note that the Family Medical Leave Act (FMLA) provides for leave to care for a spouse, child under age 19 (including a foster child), adult child incapable of self-care, parent or parent-in-law with a serious health condition.

Pursuant to Personnel Rule 5.0623, an employee may discharge up to twenty (20) days of





sick leave in a calendar to care for a family member. If the absence to care for a family member exceeds twenty (20) days, the employee may discharge vacation or personal leave.

Employees must notify their immediate supervisor of their absence as soon as the employee knows of the necessity of the absence, and the employee must follow the notice procedure in place in the employee's work unit. The employee must provide advance notice of medical treatment or medical appointments which are scheduled in advance of the absence.

For a medical absence of more than three (3) days but less than five (5) days, the employee may submit either a note or other document from his or her treatment provider or a properly completed "Employee Certification of Necessary Absence" form. This form may be printed from the State's Human Resources website ([www.hr.ri.gov](http://www.hr.ri.gov)).

For medical absences of five (5) days or more, the employee must submit a note or other document from their treatment provider. The document must present sufficient medical facts to establish the medical necessity of the absence, together with the anticipated duration of the absence. If the anticipated duration is unknown, the treatment provider must indicate the next date when the provider will evaluate the employee's work status.

An employee may apply for leave under the Family Medical Leave Act (FMLA). Based upon the employee's previous hours worked and the information provided by the treatment provider on the required medical certification form, Human Resources will determine whether the employee is eligible for FMLA leave, whether the absence qualifies for FMLA leave and the duration of the FMLA leave which is approved. If the employee is approved for FMLA, an employee will be required to discharge accrued leave as stipulated in the State Family Medical Leave Act policy found here: [https://rigov-policies.s3.amazonaws.com/HR\\_FMLA\\_Policy\\_6-6-17.pdf](https://rigov-policies.s3.amazonaws.com/HR_FMLA_Policy_6-6-17.pdf)

The State may require that the treatment provider verify or clarify any medical document



submitted by an employee in support of the employee's absence and may require specific medical documentation in cases of excessive absenteeism, unauthorized absence, or a pattern of sick leave abuse.

When an employee returns to work from a medical absence of five (5) days or longer, the employee must submit a release from the treatment provider clearing the employee to return to work. The treatment provider may release the employee to return to work "full duty, no restrictions". If the employee is released with restrictions, the treatment provider must identify the restrictions with sufficient specificity that the employee's supervisors can determine whether they can accommodate those restrictions.

## **"LEAVE WITHOUT PAY"**

Upon written application, employees may be granted a leave without pay, not to exceed one year, for reason of personal illness, disability, educational improvement or other purpose deemed proper and approved by the Appointing Authority and Executive Director of Human Resources/Personnel Administrator. The employee who applies for such a leave will be required to submit acceptable documentation in support of his/her application for such a leave.

Upon the expiration of an authorized leave of absence, the employee shall be returned to the position which (s)he occupied at the time the leave became effective, subject to the law and rules. Failure of an employee to report for duty promptly at the expiration of such leave is just cause for dismissal.

State employees will not be granted a leave of absence to accept employment outside of state service.



If you are seeking a leave for the reason of a personal illness or disability, please contact the Disability Management Unit (DMU). The DMU, with notice to the appointing authority and the Executive Director of Human Resources/Personnel Administrator, may place an employee on a "Personal Illness" leave of absence upon receipt of medical certification which establishes the medical necessity of such a leave. DMU, with the approval of the appointing authority and the Executive Director of Human Resources/Personnel Administrator, may also place an employee on a "Personal Illness" leave of absence when an employee is unable to perform the essential functions of his/her position so that the employee may obtain medical treatment to enable the employee to return to work and to perform the essential functions of his/her position. A "Personal Illness" leave of absence is subject to the periodic submission of medical certification which establishes the medical necessity of the employee's continued absence and the reasonable likelihood that the employee will return to work and will perform his/her job duties at the conclusion of the leave of absence.

## **SICK LEAVE IN ADVANCE OF ACCRUAL**

An employee may submit a request to the payroll representative designated for their agency for approval to be advanced up to eighty (80) hours of sick leave with pay, provided that all leave accruals have been exhausted and the employee agrees that future accruals of sick leave shall be applied against such advance until the balance is reimbursed.

An employee may request up to an additional eighty (80) hours of sick leave with pay. This request must be submitted to the payroll representative for approval by the Executive Director of Human Resources and notice to the Controller, provided that all leave accruals have been exhausted and the employee agrees that future accruals of sick leave



shall be applied against such advance until the balance is reimbursed.

In all such cases, satisfactory medical evidence is required in support of the request. In addition, length of service and attendance history is taken into consideration when reviewing such requests for approval.

For an up-to-date listing of human resources representatives, to include the payroll representative for each agency within the Executive Branch, please visit: [www.hr.ri.gov/about/programs](http://www.hr.ri.gov/about/programs).

## **SICK LEAVE BANKS**

Most union contracts provide for the establishment and operation of a Sick Leave Bank managed by a joint labor/management committee. Sick Leave Banks afford an opportunity for eligible employees dealing with catastrophic personal illness or injury (not job related) to obtain additional sick leave hours when all other accrued leave has been exhausted. Sick Leave Banks may not be utilized for illness or injuries incurred by family members.

The labor/management committee must require adequate evidence of the employee's catastrophic illness or injury, which is not job related. Sick leave bank hours will not be granted to an applicant with evidence of prior sick leave abuse in his/her personnel file or attendance record. Prior utilization of sick leave does not by itself indicate sick leave abuse.

Union members make contributions to the Sick Leave Bank during the donation drives. Any employee who does not make a contribution is not eligible to apply to the Bank for any sick leave.



Members who wish to be eligible to apply to the bank must contribute eight (8) hours of sick leave if assigned to a forty (40) hour work week or seven (7) hours of sick leave if assigned to a thirty-five (35) hour work week.

The maximum amount of sick leave that may be granted is 480 hours for an employee assigned to a forty (40) hour work week or 420 hours for an employee assigned to a thirty-five (35) hour work week.

Part-time employees may participate on a pro-rata basis.

Nothing herein contradicts or restricts an employee's entitlement to FMLA leave. In addition, the discharge of sick leave bank hours granted shall be counted towards an employee's entitlement under FMLA.

For more information, see the union contract (if applicable) on the Division of Human Resources website at [www.hr.ri.gov](http://www.hr.ri.gov) or contact your human resources office.

## **FAMILY MEDICAL LEAVE ACT ("FMLA")**

Eligible employees with a qualifying reason shall be granted leave under the Federal Family Medical Leave Act ("FMLA") and/or the Rhode Island Parental and Family Medical Leave Act (the "State Act") for up to thirteen (13) weeks in a calendar year.

An employee is "eligible" for leave under the FMLA when he/she has worked for the State for at least one (1) year and has worked 1,250 hours within the twelve months immediately before the beginning date of the requested leave. An employee is "eligible" for leave under the State Act if the employee has worked for the State for at least twelve consecutive months.



An eligible employee will be granted FMLA leave under the Federal law and the State Act for any of the following reasons:

1. The employee's own "serious health condition";
2. The "serious health condition" of a family member (spouse, parent or in-law, child under the age of 18, or disabled child 18 years of age or older who is incapable of self-care);
3. Birth of a child or to care for a newborn child, or placement of a child with an employee for adoption or foster care.

An eligible employee will also qualify for FMLA leave to care for a covered member of the military service who sustained or aggravated a serious injury or illness in the line of duty while on active duty, or to tend to a qualifying exigency arising out of a covered military member's commitment to duty under a call or order to active duty.

An eligible employee with a qualifying reason for leave may be approved to take that leave in the following forms:

1. as a continuous period of absence up to thirteen weeks each year;
2. on an "intermittent" basis, up to a total absence of thirteen weeks each year, when the serious medical condition causes flare-ups or other periodic absence.
3. as a reduced work schedule for up to a total absence of thirteen weeks per year.

The "serious health condition" of the employee or a family member is determined based upon the medical certification of the employee's or family member's treatment provider. The treatment provider may complete and sign the FMLA medical certification form (The WH-380-E for an employee or the WH-380-F for a family member.) The State may



also accept other written documentation from the treatment provider which reasonably establishes that the employee's absence is medically necessary due to the serious medical condition of the employee or family member. The medical document must state the anticipated duration of the employee's continuous absence, or the anticipated frequency and duration of episodes of intermittent absence, or the anticipated duration of the need for a reduced work schedule.

## PERSONAL LEAVE

*(Exception Code P)*

On January 1st of each year, the state shall credit each employee hours equivalent to four (4) working days leave with pay, per calendar year, to be used for personal business and/or religious observance. The discharge of personal leave must be requested and approved in advance and in accordance with the policy and procedures in effect at the employee's workplace.

For the first calendar year of employment, employees hired between the dates show below shall receive hours equivalent to:

- January 1 and March 31 - four (4) days
- April 1 and June 30 - three (3) days
- July 1 and September 30 - two (2) days
- October 1 and December 31 - one (1) day



Personal leave may not be carried from year to year, nor are employees compensated upon termination of employment.

Refer to your union contract (if applicable) for further information.

## **BEREAVEMENT LEAVE**

*(Exception Code B)*

In the event of a death in the employee's family, the employee shall be entitled to absence with full pay not chargeable to the employee's sick leave accumulation for:

- A. Four (4) days in the event of the death of a spouse (including domestic partner), child (including foster child or stepchild who resides with the employee), mother, father, brother or sister, step-mother, step-father, step-brother or step-sister;
- B. Three (3) days in the event of the death of a mother-in-law, father-in-law, grandmother, grandfather, grandchild or any other relative living in the employee's household;
- C. One (1) day in the case of death of an aunt, uncle, sister-in-law or brother-in-law, niece, nephew or cousin.

If more than the above days of bereavement leave are needed, such additional time must be charged to annual or personal leave.

NOTE: Some union contracts contain provisions which may differ from the above. Union members are encouraged to check their applicable union contract.





## HOURS OF WORK

At the State of Rhode Island, each classification is assigned one of four basic workweeks as follows:

- A 35 hour standard workweek - 5 consecutive days of 7 consecutive hours, exclusive of unpaid lunch periods. This workweek designation is 'non-exempt' as per the provisions of the Fair Labor Standards Act (FLSA);
- A 40 hour standard workweek - 5 consecutive days of 8 consecutive hours each, exclusive of unpaid lunch periods. This workweek designation is 'non-exempt' as per the provisions of the Fair Labor Standards Act (FLSA);
- A non standard workweek - 5 consecutive days of at least 7 consecutive hours each, exclusive of unpaid lunch periods or an average of at least 35 hours per week; not eligible for overtime pay for hours worked in excess of 35 hours per week. This workweek designation is exempt from the provisions of the Fair Labor Standards Act (FLSA);
- A non-standard/non-exempt workweek - 5 consecutive days of at least 7 consecutive hours each; eligible for overtime pay for all hours worked in excess of forty (40) hours in a work week. For this workweek designation, FLSA rules apply once the 40 hour minimum has been met in a work week.

Each position is also assigned a total number of scheduled hours per week which indicates whether the position is full or part time and is the basis for leave accruals and service credit.

The assigned hours of work for employees can vary by department, program and facility. There are established work weeks and work hours not reflected above that are peculiar to certain positions due to the nature of the work performed and requirements necessary



to conduct that business. Some union contracts contain provisions which may differ from the above. Employees are advised of their standard hours, scheduled work hours and assigned hours of work at the time of hire and/or appointment to a position and the State reserve the right to alter an employee's standard hours, scheduled work hours and assigned hours of work at any point during the course of employment based on the needs of the operations.

## **MEAL/BREAK PERIODS**

Employees are granted a fifteen minute break during the first half and the second half of their work day. All employees shall be granted an unpaid meal period of not less than one half hour duration nor more than one hour duration during each work day to be determined by the work day schedule as assigned.

There are some union agreements that provide paid meal periods for certain positions with peculiar work schedules.

The authorized break/meal period must be taken during the work shift as assigned and may not be used to alter arrival or departure time by not using the break/meal period.

## **ABSENTEEISM**

Employees who are unable to report for duty as scheduled are required to promptly notify their supervisor of their absence and the reason for such absence in accordance with the notification procedures in place for that workplace.

Prior approval is required for the discharge of vacation, personal, and all other leave



types. Except in the case of sudden illness or injury or emergency circumstances, no employee is authorized to be absent without prior approval/authorization from their immediate supervisor.

If an employees' absences are unduly excessive and are disruptive to the operations of the agency, the employee may be subject to discipline, up to and including termination.

## 2021 State Holiday Celebrations

As provided by the General Laws of the State of Rhode Island, and in accordance with Personnel Rule 5.041, the State of Rhode Island observes the following paid holidays:

**New Year's Day:** Friday, January 1

**Dr. Martin Luther King's Birthday:** Monday, January 18

**Memorial Day:** Monday, May 31

**Independence Day:** Sunday, July 4 (State Employees Celebrate on Monday, July 5th)

**Victory Day:** Monday, August 9

**Labor Day:** Monday, September 6

**Columbus Day:** Monday, October 11

**Veteran's Day:** Thursday, November 11

**Thanksgiving Day:** Thursday, November 25

**Christmas Day:** Saturday, December 25 (State Employees Celebrate on Monday, December 27th)



When a scheduled holiday falls on a Saturday or Sunday, refer to the calendar posted on the Division of Human Resources website.

## OVERTIME

An employee in a classification assigned a standard work week ("non-exempt" as per the provisions of the Fair Labor Standards Act) is eligible to receive additional compensation for hours worked in excess of their scheduled work week.

An employee in a classification assigned a non-standard/non-exempt work week is eligible to receive additional compensation for hours worked in excess of 40 hours worked.

The rate or type of additional compensation may vary based on union contracts, management/union agreements and/or application of RIGL § 36-4-63 (Sick leave and other leave – effect of discharging upon overtime work and overtime compensation).

Absent a union contract provision or agreement to the contrary or application of RIGL § 36-4-63, an employee receives overtime compensation at the rate of 1.5 times the number of hours worked multiplied by their hourly rate.

Note that some union contracts allow the employee to elect to receive compensatory time in lieu of cash payment for hours worked between 35 and 40.

## SHIFT DIFFERENTIAL

Employees on any shift that starts on or after 3:00 p.m. and ends on or before 8:00 a.m. may be entitled to a shift differential. However, employees whose scheduled hours are



7:00 a.m. to 3:00 p.m. or 8:00 a.m. to 4:00 p.m. shall not receive a shift differential for the 7:00 a.m. to 8:00 a.m. hour or the 3:00 p.m. to 4:30 p.m. hour and one-half.

All employees who are permanently assigned to work sixteen (16) or more hours of a forty (40) hour workweek or fourteen (14) or more hours of a thirty-five (35) hour workweek during the period defined above, are compensated an additional amount per hour over the rate prescribed for the classification in which their work is performed for a hours of the workweek; or they may be compensated at a rate that is stipulated in a particular union contract.

## MILITARY LEAVE & MILITARY TRAINING LEAVE

*(Exception Code ML & MT)*

Leaves of absence are granted to eligible employees who are members of the armed forces of the United States, to include membership in the Reserve of the United States Military or Naval Forces or in Rhode Island National Guard or Naval Reserve, in accordance with State and Federal law and union contract provisions.

For more information, see the Rhode Island Military and Family Relief Act (RIGL § 30-33) and other provisions of Chapter 30 of the RI General Laws, the Uniformed Services Employment and Reemployment Rights Act (USERRA), Personnel Rules and union contract (if applicable). Links to each are available on the Division of Human Resources website at [www.hr.ri.gov](http://www.hr.ri.gov). To request a leave, contact your human resources office.



## JURY DUTY

*(Exception Code J)*

In accordance with the Personnel Rules, all employees are granted a leave of absence with pay. While on leave for jury duty, employees continue to receive the same State benefits as when actively working. All State-paid and employee-paid contributions continue. All employees are required to refund Federal and/or State juror fees.

Employees are expected to report to work whenever their services are not required by the court during their normally scheduled workday and provide regular updates to their supervisor with regards to their jury duty status and scheduled release from jury duty date.

Each employee should notify his/her supervisor and human resources office when a summons has been received.

## ADMINISTRATIVE LEAVE

In accordance with the Personnel Rules, whenever it appears to be in the best interest of the State, an Appointing Authority may, with the approval in advance by the Personnel Administrator, place an employee on paid Administrative Leave.

Such instances include, but are not limited to, absence from duty necessitated by internal investigations and/or hearings as to alleged charges of malfeasance or misfeasance or dereliction of duty by a State employee; conduct or activity which would interfere with an employee's ability to perform his/her duties; and/or conduct which would embarrass or bring discredit to either the employee or the State.



The use of Administrative Leave so defined is not deemed to be mandatory by an Appointing Authority and does not preclude the immediate application of the provisions of Rule 5.0661 (Leave Without Pay) in such cases as it shall appear to be in the best interest of the State.

Upon the expiration of Administrative Leave as described above, an employee must be returned to full-time duty without prejudice or placed on leave without pay pending a final resolution of the case in question.

## **UNION BUSINESS**

*(Exception Code UB)*

In accordance with provisions in the collective bargaining agreements, designated union members may be granted time with pay during their scheduled work hours to perform certain activities as specified in their union contract. Such time is to be reported using the payroll exception code UB.

For further details, see the applicable union contract which may be found on the Division of Human Resources website at [www.hr.ri.gov](http://www.hr.ri.gov).

## **RELIGIOUS OBSERVANCE**

The State of Rhode Island shall make reasonable accommodation for religious observance(s), and/or, the religious practice(s) of its employees or applicants unless such request and/or accommodation creates an undue hardship on required and/or mandatory State of Rhode Island operations and/or is determined by the State to be unreasonable



due to the facts and circumstances of the request. If the accommodation requires a leave of absence from work as a State employee such leave shall be taken in accordance with established leave provisions and with the express written permission of the State of Rhode Island.

## **SPECIAL TIME OFF**

*(Exception Code T)*

With prior approval, employee(s) may be granted Special Time Off with pay for a limited duration and for certain instances. Such instances include but are not limited to:

- To take civil service examinations administered by the Office of Personnel Administration.
- To be interviewed for another position within state service.
- To attend professional conferences, training sessions, or officially sanctioned outings.
- To take a physical examination required for continued State service.
- To permit time off during adverse weather conditions or state of emergency as authorized by the Director of Administration.

## **STATEWIDE ADVERSE WEATHER POLICY**

Whenever it is determined that due to a weather-related event the normal operations of





the state may need to be closed or altered, the Governor may institute a public statewide adverse weather declaration. The Statewide Adverse Weather Policy establishes for all agencies and employees the parameters, expectations and accountability for this state-wide action.

One of these declarations may be to declare a closure of State Government and the issuance of a State of Emergency. In such cases, essential and non-essential employee designations will be determined by their respective department or agency head. Compensation under these circumstances for each employment status can be found in the Statewide Adverse Weather Policy.

The Governor may alternatively determine that the state offices are open and normal operations are in effect during a weather event. In these circumstances, employees who are unable to report for work on a regular scheduled workday because of adverse weather conditions or are unable to complete their work schedule because of such conditions may record such absence as either annual leave, personal leave, or leave without pay at the employee's option, subject to supervisory approval.

In either case, once a final determination has been made and authorized by the Governor's Office, announcements will be posted in a timely manner to a variety of communication vehicles, to include but not be limited to the state Human Resources website, the Governor's Office Landing Page and via the statewide email system.

To review the governing Statewide Adverse Weather Policy, please click on the following link: [https://rigov-policies.s3.amazonaws.com/DOA\\_State\\_Adverse\\_Weather\\_Policy3-14-19.pdf](https://rigov-policies.s3.amazonaws.com/DOA_State_Adverse_Weather_Policy3-14-19.pdf)



# ADMINISTRATIVE RESPONSIBILITIES

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## PERSONNEL FILES

In accordance with RIGL § 28-6.4, employees have the option to review their personnel file up to three times during a given calendar year. These files contain confidential documents relative to an employee's employment and are located within the respective human resources office.

Human Resources recognizes the confidentiality of this information and only releases public information. Non-public (confidential) information is not released except upon receipt of a signed release from the employee or pursuant to subpoena, administrative order or other legal process.

## RECORDS RETENTION

Chapter 38 of the Rhode Island General Laws governs retention and destruction of records kept or received in the transaction of official business. Each employee should be aware of their program's Records Retention Policy as approved by the Secretary of State's Office. No public official may mutilate, destroy, sell, loan, or otherwise dispose of any public record without the consent of the public records administration program of the Secretary of State.

For further information, see your program's Records Retention Policy or visit the [Secretary of State's State records management website](#).



## IN-STATE TRAVEL: USE OF PERSONAL VEHICLE FOR STATE BUSINESS, ELIGIBLE REIMBURSEMENTS AND THE STATE'S MILEAGE REIMBURSEMENT SYSTEM

When necessary and when it is in the best interest of the State, employees may be authorized to travel within the state of Rhode Island and surrounding areas to conduct official state business. In these circumstances, state personnel may be allowed reimbursement for the use of their personally owned automobile at the current mileage rate when it is deemed economical and/or advantageous to the state. Additional expenses associated with authorized state business travel that may be eligible for reimbursement include, but are not limited, to conference fees, tolls and parking.

In an effort to eliminate paper, streamline the approval process, and more accurately calculate mileage reimbursements due to employees, the Department of Administration has created a Mileage Reimbursement System. This online system allows for employees to submit their mileage for authorized travel. Approved reimbursements are deposited directly into the same banking institution that an employees' paycheck is deposited. Parking and tolls are also expenses that may be eligible for reimbursement through the Mileage Reimbursement System.

For more information on the use of a personal vehicle for state business and other in-state travel allowable and disallowable reimbursements, see the State Controller's full policy on In-State Travel with following links:

For agencies and travelers utilizing the State's Mileage Reimbursement System: [A-46ET In-State Travel](#).

For agencies and travelers not utilizing the State's Mileage Reimbursement System: [A-46 In-State Travel](#).

Note that only employees who are paid via the State's Payroll System (State Employ-



ees) can be paid via the State's Mileage Reimbursement System. Other individuals seeking mileage reimbursement such as volunteers, interns, or contractors should refer to Policy A-46.

## OUT OF STATE TRAVEL

In support of an employee who has been authorized to travel out of the state of Rhode Island to conduct business on behalf of the State, the Out of State Travel Policy was created to provide employees with guidance and requirements for air travel, surface transportation and lodging. Found within this Policy are the expectations that all personnel traveling under these procedures exercise prudent responsibility when committing state funds. Travel on business should be conducted at minimum cost for achieving the success of the mission. The traveler is expected to exercise the same care in incurring travel expenses that a prudent person would exercise if traveling at his/her own expense.

It is incumbent on an employee to review this policy before making any travel arrangements: [Out of State Travel Policy A-22](#).

## PARKING

Parking is made available at various locations depending upon agency assignment. Some agencies offer garage parking at a cost to the employee payable by payroll deduction. For questions regarding the parking situation specific to your work location, please see your supervisor or building maintenance staff.



## CHANGE OF ADDRESS, NAME AND MARITAL STATUS REQUEST

When an employee changes their personal information, such as home/permanent or mailing address, name, and/or marital status, it is extremely important that they take the necessary steps to update this information so Human Resources and applicable health and benefit vendors have the correct information on file.

These personal changes are used for many different types of mailings - not just human resources/payroll information. Your address is used to mail insurance cards/information, reimbursements, informational mail and your year-end statement of wages (Form W-2). Your name change may prompt new insurance cards to be issued to you, and a change in your marital status may open an open enrollment period for you.

To report one or more of these personal changes and you are a current employee, you must complete a Change of Address, Name and Marital Status Form. The Form can be located at:

[http://www.hr.ri.gov/documents/forms/Change%20of%20Address%20and%20Name%20Form%20Revised%207-30-20%20FINAL\\_fillable.pdf](http://www.hr.ri.gov/documents/forms/Change%20of%20Address%20and%20Name%20Form%20Revised%207-30-20%20FINAL_fillable.pdf)

This Form should be submitted to your local human resources representative for processing. For an up-to-date listing of human resources representatives for each assigned Executive Branch agency, please click [here](#). For all other non-Executive Branch organizations, please submit this form to your local administrative representative.

The Change of Address, Name and Marital Status Form will update your name/address in the State's personnel system as well as with most of the State's benefits vendors. Note that the following State benefit vendors require that you update any address and/or name changes directly with them on your own:



- Aflac (Short Term Disability): 401-475-9936, ext. 130
- Colonial Life (Short Term Disability): <http://www.visityouville.com/en/StateOfRI>; or 866-349-8011
- College Bound Saver (529 Plan): <https://www.collegeboundsaver.com/>; or 877-517-4829

Retired employees receiving benefits from the Employees Retirement System of Rhode Island (ERSRI) must complete a Change of Information Form as directed on ERSRI's website at [www.ersri.org/ersri-forms/retiree-forms](http://www.ersri.org/ersri-forms/retiree-forms).

Terminated employees who have not received their final Form W-2 should make sure that their human resources office has their correct mailing address. If Human Resources does not have the correct address, the Form W-2 will be returned to the State. The postal service will not forward your Form W-2.

## IDENTIFICATION CARDS AND BADGES

Identification cards, badges and other identification devices are for use only in establishing identity, authority or access in connection with official duties. Badge holders shall not aid or participate in allowing unauthorized access to secure or restricted areas. Identification cards or badges are not to be used to exert influence or to obtain, either directly or indirectly, personal privileges, favors or rewards for themselves or others. Deliberate violations could result in disciplinary action.

Employees should wear their identification card/badge at all times when on duty as a state official unless otherwise authorized by their supervisor. Cards/Badges should be prominently worn so the photo is clearly visible to others unless doing so presents a



safety issue. Cards/Badges shall not be defaced or altered with pins, stickers, decals, etc.

Employees are responsible for the prompt notification to the Office of Human Resources of any change in badge application information. Employees are responsible for the safeguarding and proper use of identification badges and for promptly reporting their loss to the Office of Human Resources. In the event an employee's identification badge is repeatedly lost or stolen, the State reserves the right to assess a fee for replacement of the badge.

Identification badges remain the property of the State of Rhode Island and shall be returned upon request or upon termination or separation of service. The State reserves the right to revoke the authorization for an identification badge where such action is determined to be in the best interest of security and requires the immediate surrender of any badge upon notification of such revocation. The transfer or use of identification badges by another individual is strictly prohibited.



# ADDITIONAL BENEFITS PROGRAMS

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## CAREER AWARDS

Employees in the classified or unclassified branch of service are awarded a gift for their service and a certificate showing the number of years of service upon the completion of ten (10) years of service, and every subsequent five (5) years of continuous service thereafter up to fifty (50).

## EMPLOYEE SUGGESTION PROGRAM

The Employee Suggestion Program provides a way for eligible state employees to submit their ideas and suggestions to improve state government operations or services and reduce costs. Cash awards are available for adopted and approved suggestions that provide tangible benefits to the state in the amount not to exceed five percent (5% - or a maximum of \$2,000.00) of any actual savings realized during the first twelve (12) month period which directly relate to the employee's suggestion.

More information about the program may be found in the Personnel Rules (Personnel Rule VII) available on the Division of Human Resources website at [www.hr.ri.gov](http://www.hr.ri.gov)

## STATE EMPLOYEES ANNUAL GIVING CAMPAIGN

Every fall, state employees are invited to participate in the Rhode Island Annual Giving Campaign which allows employees to conveniently contribute through payroll deduction to any non-profit 501(c)(3) organization.





All donations are tax deductible. As state employees, we all share a common mission. Regardless of where we work or what we do, our job is to help Rhode Island thrive. Any contribution – financial or otherwise – is an investment in our fellow Rhode Islanders and by participating in this voluntarily program we can come together to make a difference in our community.

More information about the program is available on the United Way of Rhode Island's website at <https://www.uwri.org/>

## INCENTIVE IN-SERVICE TRAINING PROGRAMS

All employees successfully accruing 4 pre-approved incentive credits in the Incentive In-Service Training Program will receive a salary increase. There are two programs de-pendent on your date of hire:

**Program #1:** Employees with a date of hire before July 1, 2001, who complete the pro-gram, will be granted a one-step pay increment next above the current base step, or if at the maximum of the grade, a pay increment equal in amount to the last step in the pay grade. This amount will be retained by the employee annually for the remainder of their career in State service. If the employee leaves State service after receiving their award and later returns, their award will be reinstituted. If the employee leaves State service before completing the program and later returns, partial credits will not be reinstituted, and they will be entered into Program #2.

Employees with a date of hire before July 1, 2001, may choose to opt-out of Program #1 and enter Program #2. To do so, they must complete an opt-out/opt-in form available in the Division of Human Resources and submit the completed form to the Office of Learning and Development. The original incentive award must be terminated before new



courses can be requested for credit under Program #2. Courses approved in the original program, and courses similar to them, cannot be taken again in the new program. The employee cannot change back to the original program once the opt-out/opt-in choice is made.

**Program #2:** Employees hired on or after July 1, 2001, who complete the program will be granted an incentive determined in the same manner as in #1, but will receive this incentive for only 4 years. For 3 years thereafter, the incentive award will be terminated, and no incentive requests can be made during these 3 years. After the 3-year period ends, employees may again request courses for incentive credit, but not courses previously approved for incentive credit, nor courses similar to them. This cycle may continue throughout the employee's career with the State.

**Rules for both programs:**

- All qualified course requests must be made on a CS-365 Request for In-Service Training Incentive Credit form, with all information filled out.
- Completed CS-365 forms must be received by the Office of Learning and Development at least 7 days before the course start date – late requests will not be accepted. It is the employee's responsibility to verify that the Office of Learning and Development has received their CS-365 request.
- Employees whose requests are approved by the Office of Learning and Development for incentive credit will receive a CS-372 "approval letter." If a course is disapproved, the employee will be notified on a CS-372A form.
- The Office of Learning and Development may request additional information before a decision is made to approve or disapprove a course for incentive credit.



- All courses must be directly job related to the employee's current job duties. Courses taken for promotional advancement are ineligible.
- Each course must be a minimum of 15 hours of in-class time for ½ incentive credit and a minimum of 24 hours of in-class time for 1 incentive credit.
- Course level must be appropriate to the employee's job classification.
- Only 2 courses for credit can be taken at a time.
- All courses must have an exam component.
- Completion credit will be given for non-State sponsored courses only when official transcripts/certificates are submitted to the Office of Learning and Development by the employee. Completion dates are those dates transcripts/certificates are received by the Office of Learning and Development, not the course end date.
- When each course is successfully completed, the Office of Learning and Development will send a "verification of completion" letter to the employee.

Upon successful completion of 4 credits, the Division of Human Resources will initiate the pay increment. **Note:** Requirements for obtaining college degrees, CEUs, who pays for the course or if the employee takes the course outside of work hours etc. are not criteria affecting the incentive credit programs.

\*Online courses may be eligible if they meet all criteria, are approved in advance by the Office of Learning and Development, are taken at an accredited college or university, and a final transcript is submitted to the Office of Learning and Development.

If you have any questions call the Office of Learning and Development in the Division of Human Resources at 222-2178.

