

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Functional Area: Support Services/Human Resources	Reference Number: IVO06-0008 (104.27)	Revises Previous Effective Date:
Subject: Suspension With Pay		05/15/09
Authority: Bryson/Dozier	Effective Date: 03/31/15	Page 1 of 3

I. POLICY:

Any full-time employee of the Georgia Department of Corrections (GDC), upon written notice, may be placed on suspension with pay.

II. APPLICABILITY:

All full-time employees of the Georgia Department of Corrections.

III. RELATED DIRECTIVES:

- A. State Personnel Board Rule
478-1-.15 Change to Employment Status
- B. GDC SOP
 - IVO06-0009 Suspension Without Pay
 - IVO15-0011 Random Drug Testing
 - IVO15-0012 Reasonable Suspicion Drug Testing
 - IV020-0001 Adverse Actions (Classified Employees)
 - IVO20-0002 Adverse Actions (Unclassified Employees)

IV. DEFINITIONS:

NONE

V. ATTACHMENTS:

NONE

VI. PROCEDURE:

- A. The Appointing Authority may, by written notice to the employee, suspend a full-time employee with pay:

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1. For investigation of alleged misconduct when the employee cannot work or be reassigned to another work location;

NOTE: The appointing authority should closely monitor all employees on suspension with pay and ensure that the investigation is progressing in a satisfactory manner. Any suspension with pay that lasts over 30-days must receive an approval to extend from the Director, Human Resources.

2. During the period of notice of proposed forfeiture of position, separation, reduction in force, or proposed disciplinary action if such suspension is in the best interest of the agency. The notice of suspension with pay may be included in the notice of forfeiture, separation or proposed disciplinary action;
3. After receiving verbal notification and pending receipt of the official laboratory report and notice from the State Personnel Administration (SPA) that the employee has tested positive for the presence of one or more illegal drug(s), or when the employee has refused random drug testing, a **classified employee** will be placed on suspension **with** pay. (An **unclassified employee** must be placed on suspension **without** pay);
4. Upon completion of drug testing due to reasonable suspicion and pending final test results, or when an alcohol blood/breath analysis test indicates the presence of .02 percent or greater of alcohol, or when an employee refuses to undergo reasonable suspicion alcohol and/or drug testing. This suspension with pay is only effective until separation or other appropriate disciplinary action can be finalized;
5. At the time any criminal charges are filed, an employee, classified or unclassified, will be placed on Suspension Without Pay in accordance with GDC SOP IVO06-0009. However, during the notice period between the arrest or indictment of the employee and the Suspension Without Pay, a classified employee must be placed on Suspension With Pay. This action for **classified** employees must be processed through the Legal Services Office. The Appointing Authority may take such other action as may be authorized;
6. For alleged unfitness to perform assigned duties where the alleged unfitness creates the potential for harm to the employee, co-workers, or others. During the period of suspension with pay, the employee may be directed to undergo a medical and/or psychiatric examination at the expense of the Department. To suspend an employee under this provision, the Appointing Authority must have **prior** approval of the Director, Human Resources or designee.

- B. Suspensions for the above listed reasons shall not exceed forty-five (45) calendar days.

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- C. A written request for an extension of suspension with pay, outlining the circumstances surrounding the request and supporting documentation, must be submitted directly to the Director, Human Resources.
- D. Suspensions with pay may not be appealed, as they are not an adverse action.
- E. A suspension with pay may be made effective immediately upon written notice to the employee. The written notice to the employee should contain the following specifics:
 - 1. The employee must personally call in to the work site, to a specific person at specific time(s) each day;
 - 2. The employee must be available for work during normal business hours, and if so required, must be able to report to work within normal commuting time from the home; and
 - 3. Restrictions about coming to the work site, or any other Department facility/office, without prior approval.
- F. A Personnel Action form with “Suspension With Pay” noted in the comments section must be submitted to Adverse Action Coordinator in Corrections Human Resources Management (CHRM) for processing. There is not an Action/Reason Code. The CHRM Adverse Action Coordinator will enter this into Absence History in the PeopleSoft System.
- G. A copy of the written notice to the employee must be attached to the personnel action submitted to the CHRM Adverse Action Coordinator for processing.
- H. If appropriate approval is obtained from the Appointing Authority, the employee may use accrued annual, sick or personal leave during the period of suspension with pay. This leave is posted in PeopleSoft by the local leave keeper.
- I. Upon return to work a Personnel Action form must be submitted to Corrections Human Resources Management noting in the comments section, “Return from Suspension With Pay”. Documentation should also be submitted with this action that authorizes the return to duty of this employee.
- J. Should this offense result in an action other than return to work, the appropriate Personnel Action form should be submitted to the Corrections Human Resources Management Adverse Action Coordinator for entry into the PeopleSoft system. Supporting documentation should be attached.