

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> Standard Operating Procedures		
<b>Functional Area:</b> Support Services/Human Resources	<b>Reference Number:</b> IVO07-0024 (104.34)	<b>Revises Previous Effective Date:</b>
<b>Subject:</b> Payment Due a Deceased Employee's Beneficiary/Estate		3/01/04
<b>Authority:</b> Bryson/Dozier	<b>Effective Date:</b> 03/31/015	Page 1 of 3

**I. POLICY:**

Money due a beneficiary or estate of a deceased employee will be paid by the Georgia Department of Corrections (GDC) in accordance with O.G.C.A. 34-7-4. Employees are responsible for ensuring that their beneficiary information is current.

**II. APPLICABILITY:**

All employees of the Georgia Department of Corrections.

**III. RELATED DIRECTIVE:**

O.C.G.A. § 34-7-4 Payment of Outstanding Wages to Beneficiary

**V. DEFINITION:**

Outstanding Wages: Any wages or other monies due from the State, including, but not limited to, basic salary, overtime payment, compensatory payment, special pay regulation, salary supplements or terminal leave payment

**V. ATTACHMENT:**

Attachment 1- Employee's Designation of Beneficiary

**VI. PROCEDURE:**

- A. Designate a beneficiary on the Employee's Designation of Beneficiary (Attachment 1).
  - 1. An Employee's Designation of Beneficiary must be completed at the time of initial employment and forwarded to the assigned Personnel Technician in Corrections Human Resources Management (CHRM).
  - 2. Any change in beneficiary must be made on the Employee's Designation of Beneficiary and forwarded to the CHRM Benefits Unit.

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3. The first beneficiary (may be an individual or an organization) on the Employee's Designation of Beneficiary will be the primary recipient of outstanding wages. If the first beneficiary on the Employee's Designation of Beneficiary is deceased, payments of outstanding wages will be made to the second beneficiary designated on the form. If the first and second beneficiaries are deceased, payment will be made to the third beneficiary designated on the form.
4. If the beneficiary designated on the Employee's Designation of Beneficiary is legally incapacitated and cannot receive such outstanding wages, the beneficiary's duly qualified guardian will receive the payment.
5. If the beneficiary designated on the Employee's Designation of Beneficiary is a minor child or children, they cannot receive such outstanding wages. The duly qualified guardian of the minor child or children will receive the payment.
6. In the absence of a beneficiary designated on the Employee's Designation of Beneficiary, payment of the outstanding wages will be made as follows:
  - a. The employee's surviving spouse at the time of death; or
  - b. The duly qualified guardian of any surviving minor child or children, if the employee left no surviving spouse at the time of death; or
  - c. The deceased employee's estate, as required by law, if the employee left neither a surviving spouse nor minor child or children.

**B. Payment**

1. A copy of the Employee's Designation of Beneficiary with the most current date must be attached to the Personnel Action Request (PA). Use Action/Reason Code TER/DEA, Termination/Death. Submit immediately to the assigned CHRM Personnel Technician. The effective date to be entered on the PA is the day after the date of the employee's death.
2. Before the official designated beneficiary is notified, a review of the local and CHRM forms will be conducted and verified by the CHRM Benefits Unit. Payment will be made to the beneficiary as outlined above.

NOTE: Payment of funds up to \$2,500.00 will be exempt from any and all process of garnishment.

3. The designated beneficiary is responsible for providing a certified copy of the employee's death certificate.

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**VII. RECORD RETENTION:**

Attachment 1- Employee's Designation of Beneficiary

Retain permanently in the official and local personnel files.