

SERENITY BEHAVIORAL HEALTH SYSTEMS

SUBJECT:	MOVEMENT FROM CLASSIFIED TO UNCLASSIFIED EMPLOYMENT
POLICY NUMBER:	HR-40.00
EFFECTIVE DATE:	February 2003
SUPERSEDES:	N/A
LAST REVISION DATE:	June 2010

POLICY:

It is the policy of Serenity Behavioral Health Systems (SBHS) that classified employees who accept positions in the unclassified service become unclassified employees and are not eligible to return to the classified service at any time. Employment in the unclassified service is “at will” employment. Unclassified employees serve at the discretion of SBHS. They can be separated at any time without notice or statement of reasons unless the employee is covered by the provisions of the Involuntary Separation based on Retirement Laws.

Classified employees who move to other positions in the classified service without a break in service remain classified employees. This includes transfers, promotions and demotions of classified employees from organizations inside and outside of SBHS (e.g., other state agencies, County Boards of Health, Community Service Boards (to classified positions at SBHS.)

UNCLASSIFIED POSITIONS:

- I. The following positions are in the unclassified service:
 - A. All positions filled by new hires, or otherwise unclassified incumbents, on or after July 1, 1996
 - B. All positions established at SBHS on or after July 1, 1996 are established as unclassified

- II. When classified positions are abolished due to reorganization, positions that are established in the new organization will be in the unclassified service.

INVOLUNTARY SEPARATION RIGHTS:

Unclassified employees who first established membership in the Employees’ Retirement System prior to April 1, 1972, and who have a minimum of 18 years of State employment, may have involuntary separation rights under the Georgia Retirement System Law. See SBHS Personnel Policy HR-38.00 – Involuntary Separation – Retirement Benefits for specific information.

EMPLOYEES AFFECTED BY REORGANIZATION:

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- I. If a reorganization takes place, as referenced above, classified employees offered positions in the new organization have the following options:
 - A. To accept the position in the unclassified service and become an unclassified employee, or
 - B. To decline the offer of employment
- II. Classified employees who decline the offer of employment, or who are not offered a position in the new organization, will be separated from employment based on reduction-in-force procedures.

NOTE: Classified employees eligible for involuntary separation under the Georgia Retirement System Law who decline the offer of employment will be considered to have voluntarily resigned from employment.

NOTIFICATION:

- I. It is critical that classified employees be advised when they are being offered positions in the unclassified service. This will enable employees to take into consideration the resulting change in employment status prior to accepting the offers. Program Managers and/or the staff in the Human Resource Department who do not provide required notification might be subject to disciplinary action.
- II. Appropriate notification that positions are unclassified includes but is not limited to the following:
 - A. Unclassified position status listed on the job announcement
 - B. Discussion during the interview process, or
 - C. Notification in the written offer of employment
- III. The Acknowledgement of Unclassified Position Form should be completed by classified employees who have accepted positions in the unclassified service.

NOTE: Classified employees who do not sign acknowledgement forms are not by law entitled to positions in the classified service.

LEAVE AND OTHER BENEFITS:

Classified employees, who are transferred, promoted or demoted (without a break in service) into unclassified positions eligible for leave and other benefits will retain benefits as well as annual, sick and personnel leave accrued.

REFERENCES:

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- I. Georgia Law O.C.G.A. Section 45-20-2(15)-Unclassified Service
- II. Georgia Law O.C.G.A. Section 45-24-1 *et seq.* - Reorganization
- III. Georgia Laws O.C.G.A. 47-2-2 and 47-2-123- Retirement Law
- IV. Governor's Executive Orders, dated May 3, 1996 and September 13, 1996
- V. SBHS HR Policy: HR-16.02 – Disciplinary Action and Separations of Unclassified Employees

ATTACHMENT:

- I. [Acknowledgement of Unclassified Position Form 556](#)

APPROVAL SECTION:

Chief Executive Officer

Date

Committee Chairperson

Date

RESCISSION SECTION:

Chief Executive Officer

Date

REVIEW SECTION:

Committee Chairperson

Date

Committee Chairperson

Date

Committee Chairperson

Date