

Policy

Policy Title:	Employing DHS Retirees				
Policy Number:	DHS-060-008	Version:	1.0	Effective Date:	03/27/2002

DHS Chief Administrative Officer

03/27/2002

Approved By: (Authorized Signer Name)

Date Approved

Overview

Description:

DHS Policy Is Not To Employ or Contract with DHS Retirees, Identifies Exceptions

Purpose/Rationale:

It is the expectation of DHS that retirement will end the employment of an individual with the agency. DHS management is responsible for performing appropriate secession planning and implementation.

Applicability:

This policy applies to DHS retirees.

Failure to Comply:

Failure to comply with this policy may result in disciplinary action

Policy

1. General

- a. DHS expects retirement to end employment with DHS. DHS managers will develop plans for the transition of the retiring employee's skills and knowledge. The transition will generally occur prior to the employees' retirement.
- b. A retired employee may only be hired as a Temporary Employee, or a Personal Services Contractor or as a Permanent Rehire. Employees cannot be hired as both a Personal Services Contractor and a Temporary Employee.

2. Temporary Employees

- a. Employment must not exceed 1039 calendar hours per year. A job description must be written prior to employment.
- b. The Temporary Employee's job description must contain a specific deliverable work product. The work product must be scheduled for completion prior to the termination of their employment.
- c. Job Descriptions for Retirees hired to continue in the position held prior to retirement, must specify how their skills and knowledge will be transferred to the staff assuming their duties.

3. Personal Service Contracts

- a. DHS will not contract with a retiree for more than 1039 hours in a calendar year or longer than six months.

- b. Personal Service Contracts with retirees contracted to continue the work he/she did prior to retirement, must specify a process for the transition of the retirees' knowledge and skills to staff assuming their duties.
 - c. DHS expects personal services contractors to meet the criteria for independent contractors and not function as employees. See DAS rules for Independent Contractors, [OAR 125-246-0330\(2\)](#), [125-246-0335\(3\)](#) and [ORS 670](#).
4. Permanent Rehire
- a. DHS may permanently re-employ retirees. Approval of an Assistant Director and Human Resources is required.

Procedure(s) that apply:

[DHS-060-008-01, Employing DHS Retirees](#)

Form(s) that apply:

None

Definition(s):

See [Common Terms](#) for DHS Office of Human Resources policies

See [Common Terms](#) for department-wide support services policies

Reference(s):

[DHS-060-002, Conflict of Interest Policy](#)

[OAR 125-246-0330\(2\), State Procurement](#)

[OAR 125-246-0335\(3\), Authority and Standards for Personal Services Contracts](#)

[ORS 670.600, Independent Contractor defined](#)

Contact(s):

Name: Lauri Stewart; **Phone:** 503-945-5844; **Email:** lauri.k.stewart@state.or.us

Policy History:

- **Version 1.0:**

- 07/13/2006 Administrative Correction: Update policy to current template format and reference to DAS rule and statute numbers that have changed since this DHS policy was initially released
- 03/27/2002 Initial Release

Keywords:

(List keywords here that might be used by someone to search for this policy on the internet)