

Settlement Agreement & Payroll Correction Payment Request Form Checklists

Prior to Submitting a Settlement Agreement:

Task	Complete?												
<p>1. Verify the Payroll Management (PAYM) screen, Issued Checks/Advices (including the check stubs for the hours to confirm payment) when determining the settlement calculation. Run the Business Intelligence (BI) Report below.</p> <p>WV-HRP-PYRL-186 Pay Event Detail Report – Hist wvOASIS Advantage HRM Historical Data Reporting Payroll Management Payroll Employee Reports Payroll History</p> <p>186 report – enter the event start, end date, and employee id. The employee id must be the full ten characters.</p> <p>Event Start Date: 12/08/2018 Event End Date: 07/05/2019 Employee ID(s): 0000041614</p> <p>Verify PAYM/Legacy to ensure the employee has or has not already received payment for</p> <table border="1"> <tr> <td>INCR (increment)</td> <td><input type="checkbox"/></td> </tr> <tr> <td>INCRT (increment at termination)</td> <td><input type="checkbox"/></td> </tr> <tr> <td>ANNPO (annual payout)</td> <td><input type="checkbox"/></td> </tr> <tr> <td>SEVPY (severance)</td> <td><input type="checkbox"/></td> </tr> <tr> <td>SETAG (settlement agreement pensionable)</td> <td><input type="checkbox"/></td> </tr> <tr> <td>SETNP (settlement agreement non-pensionable)</td> <td><input type="checkbox"/></td> </tr> </table> <p><i>NOTE: These must be considered in the calculation of back wages. For the PAYM use the report in #1 and/or legacy contact HRMpayroll@wvsao.gov to request this information</i></p>	INCR (increment)	<input type="checkbox"/>	INCRT (increment at termination)	<input type="checkbox"/>	ANNPO (annual payout)	<input type="checkbox"/>	SEVPY (severance)	<input type="checkbox"/>	SETAG (settlement agreement pensionable)	<input type="checkbox"/>	SETNP (settlement agreement non-pensionable)	<input type="checkbox"/>	<input type="checkbox"/>
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<p>2. If money is due to an employee who has separated employment and two pay periods have passed, this amount should be included in the settlement agreement.</p>	<input type="checkbox"/>												
<p>3. Verify all Employee Status Maintenance (ESMT) documents for the employee are final prior to submitting the settlement (e.g., suspensions, leaves of absence, etc.). Do not submit the settlement agreement until all ESMT documents are Final.</p> <p><i>Note: The settlement will not be reviewed if these are not completed. When concerning a missed pay increase that has been included within another ESMT for an increase, a comment may be added stating the amount and the date the pay increase should have occurred.</i></p>	<input type="checkbox"/>												

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- 4. Verify the timecard agrees with the settlement agreement calculation. If the time occurred prior to the KRONOS lock-out date, email KRONOS@wvoasis.gov to obtain further information concerning historical edits.

- 5. *Note: HRM Payroll uses actual pay events processed in the payroll systems. See #1 and #2 above.*

Obtain and document relevant justification for the settlement, e.g., if the employee wasn't paid timely for a temporary upgrade, etc.

- 6. *Note: Does the justification include why the settlement is necessary?*

Adjust the history of the employee on active suspension and ensure KRONOS records accurately reflect suspension pending investigation (SUPI) and/or annual leave (AL) used during a period of SUPI.

- 7. *Note: When performing a historical edit in KRONOS, do not choose the option to include in totals as this will be paid on the settlement agreement, not a TADJ. For example, the department can enter two lines to show LV-suspension leave (SUSLV in HRM) and annual.*

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Items that Must be Included in the Settlement Agreement:

Does the settlement contain the following?	Included?												
<p>1. A detailed description/justification for the settlement. If the settlement is resolving a grievance, the justification should include appropriate applicable grievance language, e.g., refer to the grievant and respondent throughout.</p>	<input type="checkbox"/>												
<p>2. The amount due and a detailed description of methods used to obtain said amount. If interest is being paid, DOP will calculate the interest.</p> <p><i>Note: The agency/department should provide draft calculations for any back wages owed to the employee when submitting an electronic settlement agreement for a DOP review. DOP will confirm the draft calculations and work with the agency prior to obtaining signatures if there is a discrepancy in calculations.</i></p> <p><i>Lump-sum payments require approval by the Governor’s Office. The DOP will work with the Governor’s Office pertaining to the approval of lump-sum payments prior to the settlement being signed.</i></p>	<input type="checkbox"/>												
<p>3. The amount of pro-rated increment, if applicable. https://personnel.wv.gov/Pages/AnnualIncrementCalculator.aspx</p>	<input type="checkbox"/>												
<p>4. A stated determination if the pay is “pensionable” or “non-pensionable.” The pay event for pensionable pay is SETAG. The pay event for non-pensionable pay is SETNP.</p>	<input type="checkbox"/>												
<p>5. A statement regarding both the employee and employer’s responsibility for taxes.</p>	<input type="checkbox"/>												
<p>6. Applicable signature lines at the end and initial lines* for all signatories on each page (in the footer) for the following:</p> <table border="1" data-bbox="272 1396 1339 1753"> <tbody> <tr> <td>Employee (or Grievant if settlement is grievance related)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Employee’s Representative (if applicable)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Employer (or Respondent if settlement is grievance related)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Division Counsel (if applicable)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>DOP Director*</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>DOP Counsel (if applicable) *</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </tbody> </table>	Employee (or Grievant if settlement is grievance related)	<input type="checkbox"/>	Employee’s Representative (if applicable)	<input type="checkbox"/>	Employer (or Respondent if settlement is grievance related)	<input type="checkbox"/>	Division Counsel (if applicable)	<input type="checkbox"/>	DOP Director*	<input type="checkbox"/>	DOP Counsel (if applicable) *	<input type="checkbox"/>	<input type="checkbox"/>
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<p><i>*For settlements in which the DOP is joined, the DOP Director and DOP’s Counsel will be included in the signature lines and the initial lines.</i></p>													

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For settlements in which the DOP is NOT joined, the DOP Director still has a signature line with the statement “Approved as to compliance with the Division of Personnel’s law, rules, and policies:” This statement IS NOT included in the page-by-page initial lines.

If the employee is **TEMP or **Exempt**, an email from the DOP stating the DOP does not review settlement agreements for Temporary or Exempt employees will be required.*

7. A statement explaining any withholding of unemployment compensation benefits or other wages earned and the amounts, if applicable.
8. A statement explaining a lesser discipline imposed, e.g., written warning, training, etc., if applicable.
9. A statement explaining the employee’s repayment of severance paid upon separation is required, if applicable.
10. A statement citing the reinstatement of leave is subject to the maximum carry-forward rate of annual leave, if applicable.
11. A statement providing the amount of annual AL used during SUPI, if applicable.

Prior to obtaining signatures: It’s recommended that agencies who have completed the above checklist submit an electronic draft of the settlement and settlement calculations to the DOP for review to avoid any delays in processing.

Agreement Submission: The final settlement may include electronic original signatures (Not digital), and dates with verification language of signatures and dates. Signatories must place an original signature, initials, and date on the settlement agreement and transmit the entire signed, initialed, and dated settlement to the next signatory by scanned copy or photo (e.g., the employee receives the settlement electronically, prints the entire document, signs and initials the appropriate pages, scans or takes a photograph of each page, emails the entire signed and initialed document to the individual listed on the next signature line). Agencies must ensure that no alterations were made to the agreement during the signature process and that the document remains legible. The agency/department maintains this record and uses it for the electronic copy needed for the One Time Payment (OTPAY).

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Things to Include When Completing the OTPAY:

Included in the OTPAY	Included?
1. Attach an electronic copy of the final settlement agreement with all parties' signatures and dates. The agreement must contain the statement, "This is a certified copy of the original" and must be signed and dated by the agency/department. * West Virginia Code - §21A-7-11	<input type="checkbox"/>
2. Attach a copy of the back wage calculations: <ul style="list-style-type: none">● Attach the signed back-wage report that was provided by the DOP when the signed settlement was returned to the agency/department (DOP does not provide back-wage reports for lump-sum settlement agreements.)● The department's director or Chief Financial Officer must explain in detail the method of calculation and sign and date.	<input type="checkbox"/>
3. Interest, if applicable, is paid through the wvOASIS Financial System and not included in the OTPAY.	<input type="checkbox"/>
<i>Note: Interest payments will be processed as a general accounting expense (GAX) document in the HRM Financial System. The backup for this payment will be the calculation provided by the DOP if a covered department or the calculation provided by the department if not. The GAX will not be processed until the settlement has been paid.</i>	
4. The employee's current salary in the settlement is listed on the Employee Profile Management (EPM) pay parameter or in the comments of the ESMT. If the current salary is provided in the comments of the ESMT, please provide the ESMT document number in the comments of the OTPAY.	<input type="checkbox"/>

If OTPAY is rejected, DO NOT DISCARD!

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Payroll Correction Payment Request Form (PAYC) Checklist:

Task	Verified?
1. Has the event occurred within the last twelve (12) months AND the back wages owed less than \$5000? OR is the payment for back wages following a non-disciplinary suspension?	<input type="checkbox"/>
2. Are all ESMT documents final?	<input type="checkbox"/>
3. Has a grievance been filed?	<input type="checkbox"/>

Items that Must be Included in the Payroll Correction Payment Request Form

Is the Payroll Correction Payment Request Form complete with the following?	Included ?										
1. General Employee Information	<input type="checkbox"/>										
2. Payroll Error Information	<input type="checkbox"/>										
3. ORG/Agency Number	<input type="checkbox"/>										
4. wvOASIS Transaction Information	<input type="checkbox"/>										
<i>Note: The agency/department must provide its draft calculations for any back wages owed to the employee when submitting an electronic PAYC for a DOP review. The DOP will confirm the draft calculations and work with the agency prior to obtaining signatures if there is a discrepancy in calculations.</i>	<input type="checkbox"/>										
5. Agency Authorization and Approvals	<input type="checkbox"/>										
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Things to Include When Completing the OTPAY:

Included in the OTPAY	Included?
1. Attach an electronic copy of the final PAYC with all parties' signatures and dates.	<input type="checkbox"/>
2. <ul style="list-style-type: none">● Attach a copy of the agency/department back wage calculations with a signed and dated statement from the department's director or Chief Financial Officer explaining in detail the method of calculation. DOP will verify the agency back wage calculation is correct● If the PAYC is necessary to correct wages and interest calculations are requested or Ordered, the DOP will provide a back wage report.	<input type="checkbox"/>
3. Interest, if applicable, is paid through the wvOASIS Financial System and is not included in the OTPAY.	<input type="checkbox"/>
<i>Note: Interest payments will be processed as a general accounting expense (GAX) document in the HRM Financial System. The backup for this payment will be the calculation provided by the department. The GAX will not be processed until the PAYC has been paid.</i>	
4. The employee's current salary in the PAYC is listed on the Employee Profile Management (EPM) pay parameter or in the comments of the ESMT. If the current salary is provided in the comment section of the ESMT, please provide the ESMT document number in the comments of the OTPAY.	<input type="checkbox"/>

Prior to obtaining signatures: It's recommended that agencies who have completed the above checklist submit an electronic draft of the PAYC and PAYC calculations to the DOP for review to avoid any delays in processing.

The final PAYC form may include electronic original signatures (Not digital) and dates. The agency/department must maintain this record for the electronic copy needed for the OTPAY.

Disclaimer: These checklists are only guides and do not include all possible scenarios. Any questions related to lump-sum settlement agreements, special cases, or specific scenarios should be directed to the DOP or HRM Payroll. This list does not limit or supersede any additional applicable agency/department requirements. The DOP Director may require a settlement agreement rather than a PAYC under certain circumstances. Electronic original signatures are permitted during the state of emergency only.