

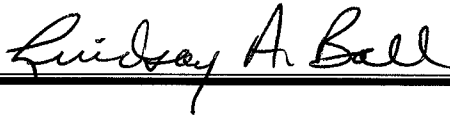
SUBJECT: Exceptions to Policies

NUMBER: 107-001-0020

DIVISION: Director's Office

EFFECTIVE DATE: 10/15/07

APPROVED:



**POLICY/
PURPOSE:**

The Director of the Department of Administrative Services is responsible for establishing and administering Statewide and Internal Policies affecting the operations of state agencies. Because it is impossible to anticipate every circumstance or contingency which might arise in the application of Statewide and DAS Internal Policies, the Director of DAS may grant exceptions to, or temporarily rescind, suspend or otherwise amend Statewide and DAS Internal Policies. This authority is limited only by specific provisions of this policy, collective bargaining agreements to which the State of Oregon is a party, applicable state laws, Oregon administrative rules, federal laws, federal regulations or applicable provisions of Oregon or United States constitutional law.

AUTHORITY:

ORS 184.305, 184.315, 184.325, 184.335, 184.340

APPLICABILITY:

All DAS Statewide Policies and DAS Internal Policies except for provisions within those policies specifically required by law or rule.

REFERENCES

ORS 240; 243; 276; 278.405-415; 291; 293

ATTACHMENTS:

None

DEFINITIONS:

Division Administrator is an individual appointed by the Director of DAS in accordance with ORS 184.315 to administer an administrative division or staff office of the Department of Administrative Services.

PROCEDURES:

<u>Step</u>	<u>Responsible Party</u>	<u>Action</u>
1.	State Agency or DAS Operating Division	Identify circumstances where an exception to Statewide Policy or applicable DAS Internal Policy is necessary to maintain or establish the efficient and effective conduct of State operations.
2.	State Agency Director or DAS Operating Division	Submit a written request for an exception to the appropriate DAS Division Administrator including but not limited to; reference to the policy, the reason for the request, the specific circumstances requiring an exception, an explanation indicating how the exception will comply with all applicable statutes, contracts and rules.

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| 3. | Division
Administrator | <p>Review request for exception and make recommendation to the DAS Director for approval or denial. Approval or denial may be based upon the following criteria or other criteria deemed to be an appropriate consideration by the Division Administrator:</p> <p>The exception would result in a cost savings or cost avoidance; a decrease in State/Agency liability; or consistency of the proposed exception with applicable statutes and rules.</p> |
| 4. | DAS Director or
Deputy Director | Approve or deny the exception request in writing. |
| 5. | DAS Operating
Division | Maintain files documenting policy exception requests and approvals or denials thereof. |
| 6. | Division
Administrator | Review Statewide and DAS Internal Policies periodically for potential revision based on patterns of exception requests and amend as appropriate. |

EXCEPTIONS IN EMERGENCIES:

In the event of critical time constraints or in times of emergency, and notwithstanding the Procedures listed in this policy, the Director may authorize general exceptions to Statewide or DAS Internal Policies, by temporarily rescinding, suspending or otherwise amending any policy. Any such rescission, suspension, or amendment must be consistent with any applicable Oregon or federal statute, administrative rule, constitutional provision or collective bargaining agreement to which the State of Oregon is a party. In the event of such a temporary rescission, suspension or amendment of policy, the Director, Deputy Director or designated Division Administrator will inform affected parties of the nature and duration of the action to affected parties.