

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES  
CHAPTER 25. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES [AMENDED]**

**SUBCHAPTER 3. DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY  
PART 7. CIVIL RIGHTS PERSONNEL**

**~~260:25-3-75. Qualifications of civil rights personnel [REVOKED]~~**

~~— Personnel selected by Appointing Authorities to fill full-time Civil Rights Administrator positions in the classified service shall meet the minimum requirements contained in the job family descriptor for these jobs.~~

**SUBCHAPTER 5. POSITION ALLOCATION AND EMPLOYEE CLASSIFICATION SYSTEM  
PART 1. GENERAL PROVISIONS**

**260:25-5-3. Authority and responsibility of Appointing Authorities [AMENDED]**

(a) Appointing Authorities have control of positions within their agency and have the authority to organize their agencies, to create positions, to abolish positions and to prescribe or change the duties and responsibilities assigned to any position or employee at any time. Appointing Authorities shall determine the level within a job family at which duties and responsibilities are assigned [74:840-4.3]. Appointing Authorities have the authority to reclassify employees in accordance with other provisions of the Merit Rules.

(b) Appointing Authorities are responsible for ensuring that:

~~(1) — job family descriptors are reviewed at least annually and the Human Capital Management Division is notified of any recommended changes in job family descriptors;~~

~~(2)(1) managers and supervisors assign work to employees on a regular and consistent basis that conforms with the employee's classification;~~

~~(3)(2) employees are classified in accordance with the work they are assigned on a regular and consistent basis as an integral part of their normal job [74:840-4.3];~~

~~(4) — managers and supervisors cooperate in position allocation audits and classification grievance audits by supplying timely and accurate information about positions being audited;~~

~~(5)(3) all records relied on by the Appointing Authority in making changes to the job family level are maintained; and~~

~~(6) — each employee is given a copy of the:~~

~~(A) — job family descriptor for the job family to which the position occupied by the employee is allocated if the employee requests a copy;~~

~~(B) — list of accountabilities to be used in evaluating the employee's performance, as required in 260:25-17-31; and~~

~~(C) — Position Description Questionnaire for the position if one exists and the employee requests a copy.~~

**PART 5. AUDITS OF POSITIONS**

**260:25-5-55. Forms used to describe positions [AMENDED]**

(a) **Position Description Questionnaire.** The basic document for the collection of information about positions is the Position Description Questionnaire (HGM-39), a form prescribed by the Human Capital Management Division. This form shall be completed by the Appointing Authority or a person designated by the Appointing Authority who is familiar with

the duties and responsibilities the Appointing Authority has assigned to the position to be audited. The completed form and organizational chart shall be submitted to the Human Capital Management Division according to this Section. The purpose of the Position Description Questionnaire is to help the person completing the form supply the information about a position that is needed to properly allocate the position.

~~(1) The form contains instructions for its completion and for it to be accompanied by an organization chart showing the relationship of the position to other positions.~~

~~(2) The form contains spaces for the Appointing Authority or the Appointing Authority's designee to:~~

~~(A) identify himself or herself, the position described, any employee who occupies the position, and the agency where the position is located;~~

~~(B) indicate the reasons for completion of the form;~~

~~(C) describe the position, including but not limited to duties, supervision exercised and received, decision-making, work guidelines, equipment operated, personal contacts, fiscal impact of work, travel and other special requirements; and~~

~~(D) sign and date the form.~~

~~(3) The form contains spaces for any employee occupying the position to indicate having read the completed form.~~

~~(4) The form contains spaces for the Human Capital Management Division to record the:~~

~~(A) allocation of the position;~~

~~(B) staff member making the allocation; and~~

~~(C) date of the allocation.~~

**(b) Classification Dispute Review Request form.** A completed Classification Dispute Review Request form (HCM-70) shall be used as the basis for the allocation and assignment of a position instead of a Position Description Questionnaire if the audit is initiated as a result of a classification dispute according to 260:25-5-51. This form shall be completed by the employee who occupies the position and is the only form authorized for use in completing an audit or review of a position as a result of a classification grievance. The completed form and organizational chart shall be submitted to the Human Capital Management Division according to this Section. The purposes of the Classification Dispute Review Request form are to help the employee completing the form supply the information about his or her duties and responsibilities, to help the Appointing Authority in comparing what the employee does or has done with what the Appointing Authority wants done, and to help persons who are allocating the position or reviewing the classification of the employee to make the correct decision.

~~(1) The form contains instructions for completing the form which require it to be accompanied by an organization chart showing the relationship of the position to other positions.~~

~~(2) The form contains spaces for the incumbent employee to:~~

~~(A) identify himself or herself, the position occupied, and the agency where the position is located;~~

~~(B) indicate the reasons for completion of the form;~~

~~(C) describe his or her position, including but not limited to duties, supervision exercised and received, decision-making, work guidelines, equipment operated, personal contacts, fiscal impact of work, travel and other special requirements; and~~

~~(D) sign and date the form.~~

~~(3) The form contains spaces for the Appointing Authority or a person designated by the Appointing Authority to respond to the employee's statements.~~

~~(4) The form contains spaces for the Human Capital Management Division to record the:~~

~~(A) allocation of the position or the classification of the duties and responsibilities;~~

~~(B) staff member making the decision; and~~

~~(C) date of the decision.~~

**(c) Supplemental Position Description Questionnaire.** An additional document for the collection of information about positions is the Supplemental Position Description Questionnaire (~~HCM 39A~~). This form is designed primarily for the collection of information concerning significant changes in the duties and responsibilities assigned to a position since it was last audited and may be used by agencies in conducting reviews related to the job family level to which a position is assigned to determine whether assignment to another level is appropriate. This form will be completed by the Appointing Authority or a person designated by the Appointing Authority who is familiar with the duties and responsibilities the Appointing Authority has assigned or wishes to be assigned to the position. Agencies may also use other forms or methods for collecting the information needed, if desired.

## **SUBCHAPTER 7. SALARY AND PAYROLL**

### **PART 1. RATE OF PAY**

#### **260:25-7-1.1. Salary administration plan [AMENDED]**

An Appointing Authority shall adopt a salary administration plan for the agency's classified positions and submit the plan for the approval of the Administrator. ~~The salary administration plan shall establish a hiring rate or range for each job family level within the agency's classification plan.~~ In the salary administration plan, the Appointing Authority may establish conditions under which the Appointing Authority may establish ~~a hiring rate above the midpoint of the pay band,~~ skill-based pay programs, and other pay movement mechanisms authorized by 74:840-2.17 except performance-based adjustments. Proposed amendments to the salary administration plan may be submitted to the Administrator for approval at any time.

#### **260:25-7-2. Salary schedule [AMENDED]**

~~(a)~~ The rate of pay of employees shall be maintained within ~~the pay band~~ structures established by the Human Capital Management Division of the Office of Management and Enterprise Services [74:840-4.6] for the job family level and kept within the established minimum and maximum rates of pay, except as provided by law or Merit Rule.

~~(b)~~ ~~The table in Appendix A of this Chapter lists the minimum, midpoint, and maximum annual rates of pay for each established pay band, which shall be used by Appointing Authorities in establishing hiring rates and making other decisions concerning rates of pay and individual pay adjustments.~~

#### **260:25-7-10. BaseRate of pay higher than maximum [AMENDED]**

Where the base rate of pay of an employee is higher than the maximum rate of pay for the pay band to which the job is assigned, the base rate will remain the same as long as the employee retains the present classification, but no further increases will be approved unless provided by statute.

**260:25-7-11. Continuous Service Incentive Plan [AMENDED]**

(a) Appointing Authorities may implement a pay incentive plan [74:840-1.6A(11)] intended to promote continuous service within the first two years of state employment. The plan shall be limited to job families for which there are critical recruitment and retention problems as identified by the Appointing Authority.

(b) The pay incentive shall consist of scheduled periodic payments over the employee's first two years of continuous service in the targeted job families, not to exceed a total of \$2,500 in any 12-month period. Payments may not be made prospectively or prorated. No payment shall be made under the plan until the employee has completed at least six months of continuous service in the targeted job family.

(c) At the discretion of the Appointing Authority, the following persons filling positions in the targeted job families may be included in the plan:

- (1) Persons not currently employed in state government;
- (2) Current state employees during their first two years of continuous state employment in the targeted job family; and
- (3) Former state employees following a break in service of at least 30 days.

(d) Appointing Authorities who choose to implement the pay incentive shall submit a written plan to the Administrator of the ~~Office of Personnel Management~~ Human Capital Management Division and the Director of the Office of Management and Enterprise Services prior to implementation. The plan shall identify the job families to which the pay incentive will be applicable and shall document the critical recruitment and retention problems and the agency's rationale for the plan. The plan may provide for different pay incentives for different job families at the discretion of the Appointing Authority. The plan shall also identify the criteria for eligibility and shall include information concerning the funding of the pay incentive from the agency's existing budget. The plan shall be signed by the Appointing Authority, and this signature requirement may not be delegated. No payment shall be made under this Section until the plan has been reviewed and accepted by the Administrator.

**260:25-7-14. Rate of pay upon reclassification, promotion, career progression, demotion, and transfer [AMENDED]**

(a) **Rate of pay when incumbent is reclassified directly.** When an employee is reclassified directly under 260:25-5-90, the rate of pay shall be fixed in accordance with 260:25-7-13.

(b) **Rate of pay upon promotion or career progression.**

(1) An Appointing Authority shall adopt objective written criteria for the amount of salary advancements on promotion or career progression. These criteria shall be a part of the agency salary administration plan established under 260:25-7-1.1 and shall be consistent with state and federal statutes prohibiting discrimination.

(2) The Appointing Authority shall set an employee's salary on promotion or career progression at no less than 5% and no more than ~~20% of the employee's salary before promotion or career progression~~ the maximum of the assigned pay band, except as follows:

(A) ~~If the increase would make the employee's salary after promotion or career progression greater than the maximum rate of pay for the new pay band, the employee's salary shall be set at the maximum rate of pay for the new pay band.~~

(B) ~~If the increase is insufficient to raise the employee's salary to the minimum of the new pay band, the employee's salary shall be raised to the minimum of the new pay band.~~

(C) ~~The Appointing Authority may set the employee's salary on promotion or career progression at more than 20% of the employee's salary before promotion or career progression as long as the rate is within the hiring range established for the position in an approved salary administration plan.~~

(D) (3) The Appointing Authority shall not lower the salary of an employee on promotion or career progression. If the employee's salary before promotion or career progression exceeds the maximum of the new pay band, the employee's salary shall remain the same.

(c) **Rate of pay when demoted.** The rate of pay of an employee who is demoted shall be set by the Appointing Authority at any rate of pay within the pay band for the job to which demoted, which does not exceed that employee's last rate of pay. An Appointing Authority may delay setting the rate of pay upon demotion for up to 1 year when the demotion is due to an agency reorganization. For the purposes of this subsection, "agency reorganization" means the reclassification of employees in lieu of reduction-in-force.

(d) **Rate of pay upon intra-agency lateral transfer.** An Appointing Authority may provide up to a 5% increase in salary, not to exceed the maximum rate of pay for the pay band, for an employee upon intra-agency lateral transfer to a position in the same job family and level or another job family and level with the same pay band assignment, based on the needs of the agency. [74:840-2.17]

### **260:25-7-20. Market adjustments [AMENDED]**

Upon approval by the Administrator, an Appointing Authority may make market adjustments for all employee(s) in a job family or job family levels. ~~or limit such adjustment to employees who perform the same or similar duties, or who perform the same role or accountabilities.~~ An Appointing Authority making such a request shall provide the Administrator with information supporting the request, such as relevant market data, information on recruitment or retention problems, or other appropriate data. The Appointing Authority shall also certify that an adjustment can be made within the agency's budget for the current and subsequent fiscal year without the need for additional funding. An Appointing Authority may limit market adjustments to employees rated at least "Meets Standards" on the most recent performance evaluation. ~~Such limitation must be included in the agency's approved Salary Administration Plan. All eligible employees of an agency in jobs affected by a market adjustment shall be given uniform treatment.~~

### **260:25-7-26. Equity-based pay adjustments [AMENDED]**

An Appointing Authority may provide equity-based pay adjustments when employees are significantly underpaid relative to other employees performing the same or similar duties, or employees with the same role or accountabilities, in the same job family and level within the same agency. ~~Adjustments above the midpoint of the pay band require approval of the Administrator. Adjustments below the midpoint of the pay band and which are consistent with the requirements of this section may be made at the Appointing Authority's discretion.~~ An Appointing Authority may limit equity-based pay adjustments to employees rated at least "Meets Standards" on the most recent performance evaluation. ~~Such limitation must be included in the agency's approved Salary Administration Plan.~~ All eligible employees of an agency in jobs affected by an equity-based adjustment shall be given uniform treatment. No employee may receive more than one equity-based adjustment in the same job family and level in a twelve-month period.

### **260:25-7-27. Performance-based adjustments [AMENDED]**

(a) Performance-based adjustments enable Appointing Authorities to award a salary increase or lump sum payment to employees who have achieved an overall rating of "meets standards" or better on their most recent performance evaluation. This performance evaluation shall be conducted with the standard performance management system provided by 260:25-17-31.

(b) Appointing Authorities may adopt a performance-based adjustment program for permanent classified full-time and part-time employees pursuant to this Section. The program may allow performance-based adjustments for part-time employees on a prorated basis.

(c) In order to adopt a performance-based adjustment program, an Appointing Authority must submit a written performance-based adjustment plan to the Administrator for approval. The plan must:

(1) Indicate the manner in which the Appointing Authority intends to award performance-based adjustments, including a determination that performance-based adjustments will be awarded for overall ratings of "meets standards" and "exceeds standards," or "exceeds standards" only. ~~Performance-based adjustments shall not exceed 5% of an employee's annual salary for "meets standards" or 10% of an employee's annual salary for "exceeds standards."~~ The plan shall include: the amount or percentage that the Appointing Authority will award to qualifying employees;

~~(A) The amount or percentage that the Appointing Authority will award to qualifying employees; or~~

~~(B) The total dollar figure the Appointing Authority intends to set aside for performance-based adjustments to be divided among qualifying employees;~~

~~(2) Identify and define the 12-month evaluation cycle to be used within the agency, such as a calendar year or fiscal year. The plan may not be amended within the evaluation cycle but may be discontinued according to paragraph (5) of this subsection;~~

~~(3) (2) Indicate whether the Appointing Authority will award performance-based adjustments as an increase to the employee's salary, a lump sum payment, or a combination thereof;~~

~~(4) (3) Include certification by the Appointing Authority that the agency can fund the performance-based adjustment program for the current and subsequent fiscal year without the need for additional funding; and that the plan provides for uniform treatment of all permanent classified employees of the agency who achieve a "meets standards" or "exceeds standards" except as provided in subsection (e). The Appointing Authority shall not delegate authority to sign the certification; and~~

~~(5) (4) Include a statement that the Appointing Authority may discontinue performance-based adjustments at any time should it be necessary to prevent a budget shortfall. The Appointing Authority shall notify employees of the discontinuation of the plan and the reason therefore.~~

(d) The performance-based adjustment plan must be approved by the Administrator before the Appointing Authority may grant performance-based adjustments to any permanent classified employee.

(e) An Appointing Authority shall not grant performance-based salary increases which cause an employee's base salary to exceed the maximum of the pay band to which the employee is assigned. [260:25-7-10] Such employees may be given performance-based salary increases up to the maximum of the pay band to which assigned and may also receive the remainder of the increase as a lump sum payment.

(f) An Appointing Authority may grant only one performance-based adjustment to any employee for any 12-month evaluation cycle. An Appointing Authority shall not award a performance-based adjustment to any employee based upon a performance evaluation which is more than one year old.

**SUBCHAPTER 9. RECRUITMENT AND SELECTION  
PART 1. GENERAL PROVISIONS**

**260:25-9-6. Establishment of minimum qualifications [AMENDED]**

The minimum qualifications established for each job family level shall constitute the entrance requirements ~~for admission to examinations~~ for classified positions. ~~If an academic requirement will be met within 1 semester or term, an applicant may be admitted to an examination and certified for employment with the condition that the applicant shall meet all requirements for the job at the time he or she reports for duty with an agency.~~

**260:25-9-9. Disqualifications [AMENDED]**

(a) Except as provided in 260:25-9-131, an Appointing Authority or the Administrator may permanently or temporarily refuse to certify, disqualify or remove a person's name from a register, and additionally an Appointing Authority may request that the Administrator remove a person's name from all registers for a period of two years from the date of an incident as described in (a)(4), (a)(5), (a)(8), (a)(11), and (a)14, if:

- (1) the person lacks any of the education, experience, or certification requirements for the job.
- (2) the person lacks any other requirement established by Oklahoma statute or federal law for the job.
- (3) the person fails any part of an Appointing Authority's background investigation.
- (4) the person made a false statement of material fact in an application for employment or otherwise misrepresented himself or herself during the application process.
- (5) the person has used or attempted to use political pressure or bribery to secure an advantage in the examination or appointment process.
- (6) even with reasonable accommodation, the person is unable to perform the duties of the job or position(s) or is unable to do so without risk to himself or herself, the agency, or others, beyond that risk normally associated with such duties.
- (7) the person has obtained information regarding examinations to which an applicant is not entitled, or the person has taken part in the development, administration, or correction of the examinations.
- (8) the person is in possession of unauthorized materials or electronic device during an examination.
- (9) the person has failed to submit an application correctly or within the prescribed time limits.
- (10) the person has failed to maintain a record of current address at the Human Capital Management Division evidenced by the return of a letter by the U.S. Post Office, if properly addressed to the last address of record.
- (11) the person has, within 2 years prior to the date of certification, been discharged for delinquency, misconduct, absenteeism, inability to perform the same type job for which applying or other disciplinary reason or has resigned in lieu of such dismissal from any public or private employer. The Appointing Authority may extend the 2-year restriction for good cause.
- (12) the agency has exercised a selective qualification as established in 260:25-9-74.
- (13) an individual is ineligible for employment due to citizenship or residence requirements as prescribed in 260:25-9-75.
- (14) the person fails to reply to a request for an interview or fails to appear for a scheduled interview.

(b) Action initiated by an Appointing Authority under (a) (1), (a) (7), and (a) (9) of this Section shall be subject to the approval of the Administrator. Any person who is disqualified

~~shall be notified in writing electronically. Applicants who have not provided an e-mail address shall be notified in writing of this action and the reason for it.~~ At the appropriate time, the Administrator shall notify an individual of the right to appeal. The party initiating the action, whether the Administrator or an Appointing Authority, shall be independently responsible for justifying the action, for both the nature and accuracy of the supporting information, and for the retention of that information pending appeal of the action.

**260:25-9-10. Required certification of qualifications before promotions, demotions, transfers, and reinstatements [AMENDED]**

(a) The Administrator shall certify that a candidate meets the necessary job qualifications of a job family level in the classified service for the purpose of allowing the candidate to be appointed. Subsections (b), (c), and (d) of this Section describe exceptions to these requirements. The Appointing Authority shall use ~~a~~ the electronic form made available online by, or accepted by, the Administrator to request certification of qualifications. The form solicits information about the candidate's qualifications.

(b) An employee who is demoted shall meet the minimum qualifications of the lower job to which he or she is demoted unless the demotion is to a job:

(1) within the same job family, or

(2) in which the employee previously has had permanent status, or

(3) in the same job family as and below one in which he or she previously has had permanent status.

(c) Career progression promotions shall be exempt from subsection (a). The exception shall apply only after an employee has been in a lower level of the job family for an amount of time equal to the difference in the lengths of the experience requirements of the two levels. This exception shall not apply in any case to entry into a job family or where the next higher level is a supervisory position.

(d) The Administrator may delegate certification of qualifications to an Appointing Authority according to a written agreement made under Section 840-1.15 of the Act and the rules in Part 3 of Subchapter 1 regarding delegation of human resources functions.

## PART 7. CERTIFICATION

**260:25-9-71. Certification methods [AMENDED]**

(a) **Availability.** The Administrator shall issue certificates which include the names of eligibles whose statements of availability and qualifications match the conditions of employment specified by the Appointing Authority on the request for certification.

(b) **Work location.**

~~(1) If the work location is in the central state offices of an agency, the Administrator shall certify available eligibles on the basis of register rank only.~~

~~(2)~~ (1) The Administrator may certify all eligibles on a register, regardless of availability, if the conditions of employment are the same for all positions in that job family within the agency.

~~(3)~~ (2) When filling vacancies ~~outside the agency's central state office~~, an Appointing Authority may request that the Administrator issue a local certificate or certify available eligibles on the basis of score rank only. A "local certificate" is a subset of eligible applicants on a register who are residents of the locality, i.e., the county where the local office is located or said county and adjacent counties or a group of contiguous counties comprising a service area of an agency [74:840-4.13], and whose conditions of availability for a job correspond to those of the vacant position. On a local certificate, eligible applicants from the locality

are ranked by examination score, including any awards of veterans preference, and are certified ahead of other available applicants who live outside the locality.

(c) **Number of names.** After receiving a request, the Administrator shall issue a certificate to the Appointing Authority. The certificate shall include the names of the top 10 available eligibles on the register for a job, plus anyone who is tied with the lowest ranked eligible within the hiring rule [74:840- 4.13]. At the request of the Appointing Authority, the Administrator may also issue additional names to be considered in accordance with 260:25-9-92.

## PART 9. CLASSIFIED

### **260:25-9-95. Appointments to noncompetitive classes [AMENDED]**

(a) An Appointing Authority of an agency having unskilled, semi-skilled, or similar jobs designated by the Administrator as noncompetitive, may appoint qualified veterans or non-veterans to such jobs in accordance with 260:25-9-71 and 260:25-9-92.

(b) On certificates issued for noncompetitive jobs, an Appointing Authority may appoint persons not certified by the Human Capital Management Division if the scores of such persons would place them within the hiring rule among those certified. An Appointing Authority shall not deny employment to, and pass over, an Absolute Preference Veteran except as provided in the Act, 260:25-9-92, and 260:25-9-131.

(c) Applicants for such positions may apply directly to agencies having such positions. Records of applicants shall be maintained by the Appointing Authority in accordance with U.S. Equal Employment Opportunity Commission's guidelines. The Appointing Authority shall notify the Human Capital Management Division of a noncompetitive appointment and enclose a completed application within **30** calendar days after the appointment, except for agencies with delegation authority to certify candidates for promotion, demotion, transfer or reinstatement within their agency.

### **260:25-9-99. Fair employment practices appointments [REVOKED]**

~~(a) This Section establishes procedures for the application of the optional hiring procedure authorized by the Fair Employment Practices Act (FEPA), Section 840-4.12 (H) of the Oklahoma Personnel Act, to employ females, blacks, Hispanics, Asian/Pacific Islanders and American Indians/Alaskan natives [74:840-4.12(H)(2)].~~

~~(b) An Appointing Authority intending to use the optional FEPA hiring procedure shall indicate that intention on a request for certification along with the targeted group, i.e., gender or race/ethnic category. An FEPA certification shall include a regular certificate with the availability of eligibles and ranking of names determined in accordance with the regular methods described in 260:25-9-71, **Certification methods**. An FEPA certification shall also include a separate list of the names of the top 10 available members of the targeted group. The Administrator may also include additional names as alternates. The names on this separate list shall be a subset of the regular certificate, and the names on it shall be ranked in the same order as on the regular certificate. If an Appointing Authority has targeted more than one group, a separate list shall be included for each group.~~

~~(c) If the Appointing Authority makes one or more appointments using an FEPA certification, each appointment shall be in accordance with either 260:25-9-92 or the optional FEPA hiring procedure authorized by Section 840-4.12 (H) of the Oklahoma Personnel Act.~~

## PART 11. DIRECT HIRE AUTHORITY

### **260:25-9-115. Duration of direct hire authority [AMENDED]**

(a) **Professional practice licensure positions.** An Appointing Authority who has been authorized direct hire authority for professional practice licensure positions may retain the authority indefinitely, provided:

- (1) the job family or job families to which the positions have been allocated remain authorized for the agency's use by the Human Capital Management Division;
- (2) the professional practice licensure requirement for the positions is not removed; and
- (3) the authority is not terminated by the Administrator as provided in 260:25-9-121.

(b) **Hard-to-fill positions.** An Appointing Authority who has been authorized direct hire authority for hard-to-fill positions may retain the authority indefinitely ~~for 12 months from the date of approval by the Administrator~~ unless the authority is terminated by the Administrator as provided in 260:25-9-121. The Appointing Authority may reapply to continue direct hire authority for ~~additional 12 month periods~~ in the same manner as in the initial request.

## PART 13. VETERANS PREFERENCE

### **260:25-9-131. Pass for cause of an absolute preference veteran [AMENDED]**

(a) An Appointing Authority who finds it necessary to pass over an Absolute Preference Veteran for cause must receive written approval from the Administrator before taking such action. Any Appointing Authority who, without prior approval, passes an Absolute Preference Veteran for cause on any certificate returned to ~~the Office of Personnel Management~~ Human Capital Management shall be required to hire the preferenced applicant, if such pass for cause is subsequently rejected by the Administrator. No offer of initial employment may be made to any applicant ranked below such veterans in the absence of this approval; such offers and any subsequent initial appointments shall be void. [74:840-4.14(A)(3)]

(b) Nothing in this Section prohibits or limits passing an Absolute Preference Veteran to hire another Absolute Preference Veteran within the hiring rule, or hiring any other eligible through means other than an initial appointment.

(c) A request to pass over or disqualify an Absolute Preference Veteran shall include a detailed written explanation and justification provided by the Appointing Authority documenting why the Appointing Authority believes:

- (1) the applicant cannot be reasonably expected to satisfactorily perform at the required level of the position [74:840-4.14(A)(3)]; or
- (2) it is necessary to disqualify the applicant because of 1 or more of the causes for disqualification listed in 260:25-9-9, Disqualifications.

(d) Any person who is so disqualified shall be notified in writing by the Administrator of the right to appeal.

## SUBCHAPTER 11. EMPLOYEE ACTIONS

### PART 3. PROBATIONARY EMPLOYEES

### **260:25-11-35. Annual and sick leave of probationary employees [AMENDED]**

Annual and sick leave, as provided in 260:25-15-10, 260:25-15-11 and 260:25-15-12, shall be granted to probationary employees. A probationary employee who resigns and is

reappointed by the same agency through an open competitive process within **10** calendar days shall be credited the annual ~~and sick~~ leave accumulated during the previous probationary period.

## PART 5. PROMOTIONS

### **260:25-11-55. Trial period and probationary period for promoted employees [AMENDED]**

- (a) Trial period after intra-agency promotions.
- (1) When a classified employee is promoted intra-agency, the employee shall serve a 6month trial period in the job to which the employee has been promoted unless the Appointing Authority waives the trial period according to the provisions of this Section. The Appointing Authority may waive the trial period at any time by giving the employee written notice of the cancellation. Waiver of the trial period makes the promotion final.
  - (2) If an employee does not prove to be satisfactory in the new job during the trial period, the employee shall be reinstated to the former position or another in the same job family level, at the salary the employee would have received if the promotion had not taken place. However, the reasons for denying the employee permanent status in the promotional position shall be submitted in writing to the individual before the end of the trial period and a copy filed with the Human Capital Management Division. [T]he employee shall not have the right to appeal [74:840-4.12].
  - (3) The promotion shall automatically become permanent at the end of the final working day of the trial period.
  - (4) The Appointing Authority may establish a written policy describing any agency standard for waiving the trial period and the reasons for the standard.
- (b) Trial period after interagency promotion.
- (1) An employee who is promoted interagency may, at the discretion of the receiving Appointing Authority, be required to serve a **6** month trial period in the new job only if the receiving agency has the job family from which the employee was promoted in its classification plan.
  - (2)The trial period may be canceled at any time, making the promotion final. Before the effective date of the promotion, the employee shall be informed in writing by the Appointing Authority whether the employee will be required to serve a trial period before such promotion becomes final. ~~The Human Capital Management Division shall be sent written notice when a trial period is required for a promoted employee.~~ The promotion shall be permanent if the Appointing Authority fails to notify the employee in writing before the effective date of the promotion that a trial period is required under this paragraph. If an employee does not prove to be satisfactory in the new job during the trial period, the employee shall be reinstated to a position in the former job family in the same pay band for which the employee is qualified with the receiving agency, at the salary the employee would have received if the promotion had not taken place. However, the reasons for denying the employee permanent status in the promotional position shall be submitted in writing to the individual before the end of the trial period and a copy filed with the Human Capital Management Division. The promotion shall automatically become permanent at the end of the final working day of the trial period.
- (c) Statutory probationary period after intra-agency promotion. An employee who is promoted to a job for which a probationary period is either permitted or required by Oklahoma Statutes shall be notified by the Appointing Authority of the probationary period before the

effective date of the promotion. An employee shall not be required to serve a trial period after the promotion if a statutory probationary period is required.

## **PART 13. RESIGNATIONS**

### **260:25-11-132. Method of resignation [AMENDED]**

To resign in good standing, an employee must give the Appointing Authority at least **14** calendar days prior notice unless the Appointing Authority agrees in writing to permit a shorter period of notice. ~~A written resignation shall be supplied by the employee to the Appointing Authority.~~ The Appointing Authority will supply the employee written confirmation of any shorter period of notice that is allowed.

## **SUBCHAPTER 13. REDUCTION-IN-FORCE**

### **PART 7. PRIORITY CONSIDERATION FOR REEMPLOYMENT**

#### **260:25-13-71. Agency priority reemployment consideration requirements [AMENDED]**

(a) Before any vacant position in the classified service is filled by the initial appointment of any person from an employment register, an Appointing Authority shall request a list of the names of persons appearing on the Priority Reemployment Consideration Roster for the appropriate job family level [74:840-2.27C]. The Appointing Authority shall give such persons priority consideration for reemployment and may appoint any person whose name appears on such list regardless of rank [74:840-2.27C]. ~~Additionally, an Appointing Authority shall consider its Affirmative Action Plan in accordance with Section 840-2.1 of the Oklahoma Personnel Act and 260:25-3-31.~~

(b) An Appointing Authority may make an initial appointment from a certificate of eligibles as provided in 260:25-9-92, only after certifying in writing to the Administrator that any and all persons whose names appear on the Priority Reemployment Consideration Roster for the job family level were first given priority consideration for reemployment. This requirement does not mandate the appointment of a person from a Priority Reemployment Consideration Roster and does not apply to internal appointments and actions, such as, promotions and reinstatements.

## **SUBCHAPTER 15. TIME AND LEAVE**

### **PART 5. MISCELLANEOUS TYPES OF LEAVE**

#### **260:25-15-43. Holidays [AMENDED]**

(a) Holidays shall be granted in accordance with state law and the Governor's proclamations as they are observed by the individual agencies in accordance with their work load and policies.

(b) To be eligible to receive holiday pay, an employee shall be in pay status or on furlough for the entire regularly-scheduled workday either the workday before or the workday after the holiday. An employee shall not be eligible to be paid for holidays which occur either before the employee's entry on duty date or after the last day the employee works. An employee who is on unauthorized leave without pay either the day before or the day after the holiday shall not be eligible for holiday pay. The receiving Appointing Authority shall pay an employee who transfers from another agency for any holidays occurring after the last day worked in the sending agency. An employee who is recalled, reemployed, or reinstated shall not be paid for any holiday occurring after the last day worked while previously employed and before entry on duty.

(c) Appointing Authorities shall pay full-time employees for holidays based on an 8-hour workday. Full-time employees who are eligible for holiday pay under (b) of this Section and who

are scheduled to work either more or less than 8 hours on a holiday shall receive the equivalent of 8 hours of holiday pay or compensatory time off.

(d) Appointing Authorities shall prorate holiday pay for part-time employees based on one of the following methods:

(1) Holiday pay as a percentage of normally scheduled hours worked divided by full-time hours; or

(2) Holiday pay equal to regular pay for hours normally worked if a holiday occurs on a normally scheduled work day.

(e) If a full-time or part-time employee's scheduled hours worked plus holiday hours total less than the employee's normally scheduled hours during the workweek, the Appointing Authority shall account for the difference exercising one or more of the following options:

(1) Work additional hours during the same workweek;

(2) Charge to accumulated annual leave; or

(3) Record as leave without pay under 260:25-15-47.

(f) If an employee's scheduled hours worked plus holiday hours are more than 40 hours in a workweek, the Fair Labor Standards Act requires that only hours actually worked be counted as hours worked in accordance with the Fair Labor Standards Act and 260:25-7-12.

(g) For employees who are required to work in fire suppression duties on a holiday, the Appointing Authority shall pay the employee for the holiday based on an 8-hour workday times the employee's base rate of pay at the time of payment. For employees who are required to work on a holiday in duties other than fire suppression and for employees whose day off falls on a holiday, the Appointing Authority shall either:

(1) reschedule the employee's holiday to be taken within 180 days; or

(2) pay the employee for the holiday based on an 8-hour workday times the employee's base rate of pay at the time of payment.

(h) If a holiday is rescheduled, the employee must take the rescheduled holiday after occurrence of the holiday. A rescheduled holiday may not be used to substitute for absences occurring prior to the actual holiday.

(i) An Appointing Authority may request an extension of the 180 days for taking holiday time off up to an additional 180 days providing the Appointing Authority submits proper documentation to the Human Capital Management Division justifying the extension. All extensions are subject to the approval of the Human Capital Management Division.

## **SUBCHAPTER 17. PERFORMANCE EVALUATION AND CAREER ENHANCEMENT PROGRAMS**

### **PART 3. EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM**

#### **260:25-17-31. Employee performance management system [AMENDED]**

(a) The Office of Management and Enterprise Services shall make available one standard performance management system that shall be used by all agencies for completing employee performance evaluations. The purpose of this employee performance management system is to evaluate the performance of each ~~classified, unclassified and exempt~~ employee in the executive branch of state government except those in the exempt unclassified service as specified in paragraphs 1 and 2 of subsection A of Section 840-5.5 and those employees employed by the institutions under the administrative authority of The Oklahoma State System of Higher Education ~~[74:840-4-17(A)]~~.

(b) The employee performance management system shall provide for the following:

(1) An objective evaluation by the immediate supervisor of the performance of the employee within the assigned duties of the job. The evaluation shall contain the agency number, date of review, and employee identification number;

- (2) The identification by the immediate supervisor of accountabilities and behaviors upon which the employee will be evaluated;
- (3) A mid-term interview with the immediate supervisor for the purpose of discussing the progress of the employee in meeting the accountabilities and behaviors upon which the employee will be evaluated;
- (4) Identification of performance strengths and performance areas for development;
- (5) A final interview with the employee by the immediate supervisor who shall provide the employee with a copy of the performance evaluation; and
- (6) The opportunity for the employee to submit written comments regarding the performance evaluation. ~~[74:840-4.17].~~

(c) Each classified employee in probationary status shall be rated at least thirty days prior to the end of the probationary period. All unclassified and permanent classified employees not otherwise exempt from this requirement shall have an evaluation period of no more than twelve months. Supervisors may perform as many additional evaluations as they deem necessary in order to effectively manage the performance of a subordinate.

(d) The immediate supervisor shall hold a meeting in person with the employee at least three times during a 12-month evaluation period.

(1) One meeting shall take place at the beginning of the evaluation period in order to communicate the accountabilities and behaviors upon which the employee will be evaluated. A copy shall be provided to the employee.

(2) One meeting shall take place during the rating period for the purpose of discussing the progress of the employee in meeting the accountabilities upon which the employee will be evaluated.

(3) One meeting shall take place at the end of the review period to provide the final evaluation. A copy of the evaluation shall be provided to the employee, and the employee shall have the opportunity to provide written comments.

(e) The agency shall use the performance evaluations of current or former state employees in decisions regarding promotions, appointments, demotions, performance pay increases, and discharges. Reductions-in-force shall not be considered discharges ~~[74-840-4.17(F)]~~. With or without the performance evaluations the Appointing Authority can make decisions regarding demotions and discharges on current state employees if determined necessary.

(f) The agency shall retain a copy of the performance evaluation for each employee of the agency. A copy of the performance evaluation shall be retained in the employee's personnel file ~~[74:840-4.17]~~.

(g) The basic document to be used in conducting performance evaluations is the Performance Management Process form ~~(HCM-111)~~, a form prescribed by the Administrator. The form contains spaces for the supervisor to describe a list of accountabilities on which the employee will be evaluated. The form also lists behaviors on which state employees will be evaluated. The form provides spaces for the supervisor to enter an overall accountability rating, an overall performance rating, and a summary/development plan. The form requires signature by the employee, the supervisor, and the reviewer.

~~(h) On or before each March 31<sup>st</sup>, Appointing Authorities shall report their agency's compliance with the requirements of 74:840-4.17 to the Administrator. The report shall be conveyed on a form prescribed by the Administrator and shall include information from the most recent annual review period used by that agency.~~

~~(i) The Office of Management and Enterprise Services shall conduct an annual random audit of state agencies to determine whether they are in compliance with this section (840-4.17). Any agency deemed to be out of compliance shall submit a written plan to the administrator detailing the efforts the agency will make to come into compliance at the earliest possible date [74:840-4.17].~~

## PART 7. CARL ALBERT PUBLIC INTERSHIP PROGRAM

### 260:25-17-74. Undergraduate internship program [AMENDED]

(a) **Eligibility.** The undergraduate internship program consists of temporary positions for students enrolled in institutions of higher education and working toward an undergraduate degree which shall include associate's degrees or certifications by the Oklahoma Department of Career and Technology Education; [74:840-3.4(A)(1)]. To be considered for eligibility determination, applicants shall have ~~completed at least 24 semester hours of coursework with~~ at least a 2.5 cumulative grade point average on a 4.0 scale. Applicants shall follow the procedures in 260:25-17-77 for eligibility determination.

(b) Conditions of employment. Participants in the Undergraduate Internship Program who receive internship appointments shall:

- (1) be employed in accordance with paragraph 8 of Section 840-5.5 of Title 74 of the Oklahoma Statutes, for not more than 2 semesters or 999 hours,
- (2) continue making progress toward an undergraduate degree,
- (3) maintain the grade point average set out in (a) of this Section, and
- (4) complete the training requirements described in (d) (3) of this Section.

(c) Benefits. Undergraduate interns shall not be eligible for paid leave, or health and retirement benefits.

(d) Responsibilities of appointing authorities.

(1) The Appointing Authority or designee shall ensure that the intern provides ~~written~~ verification to the Human Capital Management Division that the intern is:

- (A) continuing to make progress toward an undergraduate degree during each semester employed, and
- (B) maintaining the grade point average set out in (a) of this Section.

(2) If this information is not transmitted to the Human Capital Management Division within 30 days after the end of the previous semester, the Administrator shall notify and the Appointing Authority of the termination of the internship agreement in accordance with Section 260:25-17-82(a).

(3) Each Appointing Authority shall provide a minimum of 4 clock hours of job-related training for undergraduate interns during the internship, ~~in addition to the training coordinated by the Administrator, and shall provide verification to the Human Capital Management Division of the completion of the training requirements.~~

### 260:25-17-75. Executive Fellows program [AMENDED]

(a) **Eligibility.** An Executive Fellows Program consists of six-month to two-year placements in professional or managerial level positions for students [74:840-3.4(A) (3)]. No person is eligible to participate in the Executive Fellows program for more than 2 years. To be considered for eligibility determination, applicants shall have completed a baccalaureate degree and at least 6 semester hours of graduate level coursework with at least a 3.0 grade point average on a 4.0 scale [74:840-3.4(A) (3)] ~~or a 7.0 on a 12.0 scale in all graduate level coursework.~~ Applicants shall follow the procedures in 260:25-17-77 for eligibility determination.

(b) The ~~Administrator~~ Administrator's delegate may waive the completion of 6 semester hours of graduate level coursework required by subsection (a) of this section for 1 semester, if:

(1) An individual currently employed by a state agency as a Carl Albert Public Internship Program undergraduate intern provides ~~written~~ verification to the Human Capital Management Division that he or she has:

- (A) completed an undergraduate degree, and
- (B) is enrolled in 6 semester hours of approved graduate level work; and

(2) The Appointing Authority or designee of the agency where the undergraduate intern is currently employed certifies to the ~~in writing on a form provided by the~~ Human

Capital Management Division that the agency intends to employ the undergraduate intern as a Carl Albert Public Internship Program Executive Fellow immediately upon the undergraduate intern's completion of an undergraduate degree.

(c) The appointment of an Executive Fellow in accordance with subsection (b) is not effective until the ~~Administrator~~ Administrator's delegate approves: the waiver of the 6 semester hours of graduate level course work.

~~(1) the waiver of the 6 semester hours of graduate level coursework; and~~

~~(2) an Executive Fellow agreement form prepared by the Appointing Authority in accordance with 260:25-17-77(f).~~

(d) At the end of the semester for which the waiver of the 6 semester hours of graduate level coursework was approved by the Administrator pursuant to subsection (b), the individual employed as a Carl Albert Public Internship Program Executive Fellow shall meet the eligibility requirements in subsection (a) of this section or be removed from the Carl Albert Public Internship Program. [74:840-3.5]

(e) **Conditions of employment.** Participants in the Executive Fellows Program who receive internship appointments shall:

(1) be appointed in accordance with paragraph 10 of Section 840-5.5 of Title 74 of the Oklahoma Statutes [74:840-3.5(4)],

(2) be granted leave benefits commensurate with regular state employees [74:840-3.5(5)],

(3) be enrolled in the state health insurance and retirement benefits programs, if expected to work one thousand (1,000) or more hours per year,

(4) continue to make scholastic progress toward their graduate degrees during each fall and spring semester until completion of all graduate degree requirements,

(5) maintain the grade point average set out in (a) of this Section, and

(6) complete the training requirements described in (f) (3) of this Section.

(f) **Responsibilities of appointing authorities.**

(1) The Appointing Authority or designee shall ensure that the intern provides ~~written~~ verification to the Human Capital Management Division that the intern is:

(A) continuing to make scholastic progress toward a graduate degree, until completion of all graduate degree requirements, and

(B) maintaining the grade point average set out in (a) of this Section.

(2) If this information is not transmitted to the Human Capital Management Division within 30 days after the end of the previous semester, the Administrator shall notify the Appointing Authority of the termination of the internship agreement in accordance with Section 260:25-17-82(a).

(3) Each Appointing Authority shall provide a minimum of 8 clock hours of job related training for Executive Fellows during each 6-month period, ~~in addition to the training coordinated by the Administrator, and shall provide verification to the Human Capital Management Division of the completion of the training requirements.~~

(4) Each Appointing Authority shall rate the performance of participants in the Executive Fellows Program in accordance with Section 840-4.17 of Title 74 of the Oklahoma Statutes. [74:840-3.4]

## **260:25-17-77. Application form and procedure [AMENDED]**

(a) **Application form and ~~applicant survey form.~~**

(1) The Carl Albert Public Internship Program application is available from Human Capital Management ~~the Office of Personnel Management~~. The public announcement provides information about the application process and eligibility requirements. The application solicits information about applicants and their qualifications for participation in the program.

(2) Applicants may apply at any time.

~~(3) An applicant may complete a voluntary survey form which solicits information related to demographics, including race or ethnic group. The information shall be used for statistical purposes only.~~

(b) **Communication with the Human Capital Management Division.** Interested persons may direct communications to the attention of the Carl Albert Public Internship Program in accordance with 260:25-29-12.

(c) **Application procedure.** Applicants for the internship program shall provide the following information to the Human Capital Management Division for review and determination of eligibility:

(1) A completed on-line application form as prescribed by Human Capital Management the Administrator;

(2) Transcript(s) of coursework from accredited higher education institutions;

(3) A letter of recommendation from the current Appointing Authority, if the applicant is a state employee [74:840-3.4(C) ];

(4) A Resume

(5) Verification of current enrollment.

(d) **Notification.** ~~The Administrator~~ Human Capital Management shall notify applicants if the documents they submit are sufficient for eligibility. A notice of eligibility does not mean the applicant will be employed as an intern.

(e) **Length of eligibility.** Applicant information on file at the Human Capital Management Division shall remain active if eligible applicants submit verification of current enrollment and an updated transcript each semester. If applicants fail to provide updated information within 90 days after the end of the previous semester, they will no longer be eligible for employment as an intern and their names will be removed from the list of eligible applicants made available to state agencies.

(f) **Appointment.** ~~The Administrator~~ Human Capital Management shall provide a list of all eligible applicants for the Carl Albert Public Internship Program to state agencies periodically and at an agency's request. An agency may request an eligible applicant list and copies of individual eligible intern files at any time.

(g) **State employees.** State employees may apply to participate in the Carl Albert Public Internship Program. Permanent classified and regular unclassified employees who receive internship appointments may request leave without pay from their permanent or regular employment in accordance with 260:25-15-47, Leave of absence without pay. Probationary employees and regular unclassified employees with less than 12 months continuous service shall resign before entry-on-duty as an intern.

#### **260:25-17-82. Carl Albert Public Internship Program; termination of internship [AMENDED]**

(a) **Termination of internship agreement and separation.** An agency may continue to employ a person as an intern only during the period of the internship agreement as provided by the rules in this Part. The agency, the intern, or the Administrator may terminate the internship agreement at any time without notice. The agency may separate the intern with or without cause.

~~(b) **Voluntary exit evaluation.** Carl Albert interns may complete a confidential voluntary exit survey at the end of the internship. Survey forms provided by the Administrator shall solicit information such as program strengths and weaknesses, and recommendations for improvement.~~

(b) **State employees; right of return and recall to previous position.**

(1) State employees leaving classified or exempt positions in state government in order to take an internship shall have the right to return to the previous position at any time during the internship or upon completion of the internship [74:840-3.5(2)].

(2) The Appointing Authority may require a state employee participant to return to the original state agency position before the internship termination date stated on the agreement form. The employee shall be notified by certified mail and given 7 calendar days to return to work. The notification shall include reasons for requiring the employee to return to work. If the employee fails to return as directed, the Appointing Authority may discipline the employee.

**260:25-17-84. Executive Fellows, Senior Undergraduate, Undergraduate program; conversion [AMENDED]**

(a) **Eligibility.** An Executive Fellow, Senior Undergraduate, and Undergraduate shall be eligible for appointment to a position in the classified or unclassified service of the state and shall be deemed as meeting all other statutory requirements if the participant has:

(1) Been certified by the Appointing Authority as having successfully completed an 2-year internship within a 3-year period; and

(2) Upon successful completion of an internship in the Undergraduate or Senior Undergraduate Internship Program or Executive Fellows Program, a participant who has met all requirements of education and experience shall be eligible for appointment to a position in the classified or unclassified service of the state and shall be deemed as meeting all other statutory requirements; Met all requirements of education and experience [74:840-3.5].

(b) **Direct conversion.** If there is no break in service after successful completion of an 2-year internship, the conversion to a position in the classified service shall be exempt from the:

(1) application and certification procedures described in 260:25-9,

(2) probationary period described in Part 3 of 260:25-11, and

(3) posting requirements in Part 5 of 260:25-11, if the conversion is to a job which is consistent with the duties and responsibilities of the Executive Fellow, Senior Undergraduate, or Undergraduate internship.

(c) **Salary upon direct conversion.** If there is no break in service, the salary shall be determined in accordance with 260:25-7-3.

(d) **Conversion following a break in service.** If the Executive Fellow, Senior Undergraduate, or Undergraduate is separated after successful completion of an 2-year internship and before being converted to the classified service, the agency shall meet the internal posting requirements of Part 5 of 260:25-11 before the person is reinstated and converted to the

classified service, and may require a probationary period in accordance with 260:25-9-102.

(e) **Roster.** ~~The Administrator~~ Human Capital Management shall maintain a roster of Executive Fellows, Senior Undergraduates, and Undergraduates who have submitted a ~~written~~ request for eligibility for appointment to a position in the classified or unclassified service of the state upon successful completion of an 2-year Executive Fellows internship. Appointing authorities or their designees may request this roster from ~~the Office of Personnel Management~~ Human Capital Management. Additionally, Executive Fellows, Senior Undergraduate, and Undergraduate may make application for employment directly with state agencies. The following requirements must be met before an agency may hire an ~~Executive Fellow intern~~ from the roster:

(1) ~~The Administrator~~ Human Capital Management must certify that the person meets the current minimum qualifications for the job;

(2) ~~The Administrator may require the person to pass a qualifying examination before approving a reinstatement;~~

- ~~(3)~~ (2) The date the person enters on duty in probationary status must be after ~~within 2 years after the completion of the Executive Fellows~~ internship;
- ~~(4)~~ (3) The person's salary must be set in accordance with 260:25-7-3;
- ~~(5)~~ (4) The probationary period must be in accordance with 260:25-11-30; and
- ~~(6)~~ (5) The agency must meet internal posting requirements.

## **SUBCHAPTER 25. OKLAHOMA STATE EMPLOYEES' DIRECT DEPOSIT RULES PART 3. HCM ADMINISTRATIVE POLICIES AND PROCEDURES**

### **260:25-25-35. Communication with HCM [AMENDED]**

Section ~~530:1-1-12~~ 260:25-29-12 describes how to communicate with HCM about the direct deposit program. People should direct communications to the attention of the Oklahoma State Employees' Direct Deposit program according to ~~530-1-1-12~~ 260:25-29-12.

### **260:25-25-37. Confidential records; inspection and release of open records [AMENDED]**

(a) State employees supply personal information to the HCM or other state employers to facilitate their personal banking needs under the Act. Public disclosure of this information would be a clearly unwarranted invasion of the employees' personal privacy under Section 24A.7 (A)(2) of Title 51 of the Oklahoma Statutes. Therefore, the Administrator shall not release that information for public inspection.

(b) State employee home addresses, state employee home telephone numbers, and state employee social security numbers shall not be open to public inspection or disclosure [74:841.6A].

(c) Section ~~530-1-1-14~~ 260:25-29-14 contains other general standards and procedures for inspecting and copying ~~Office of Personnel Management~~ HCM records.

### **260:25-25-40. Complaints [AMENDED]**

Anyone may complain to the Administrator about the direct deposit system according to ~~530:1-3-5~~ 260:25-29-35. However, a person shall first exhaust other procedural remedies, including those described on the automatic deposit transmittal form.

## **SUBCHAPTER 27. STATE EMPLOYEE CHILD DAY CARE PROGRAM RULES PART 1. GENERAL PROVISIONS**

### **260:25-27-9. Communications with HCM [AMENDED]**

Section ~~530:1-1-12~~ 260:25-29-12 describes how to request information from HCM and submit information to HCM. People should direct communications about the program to the attention of the State Employee Child Day Care Program according to ~~530:1-1-12~~ 260:25-29-12.