AGENCY HUMAN RESOURCES MANAGEMENT

Self-Evaluation & Management Plan

UPDATE AS OF NOVEMBER 1, 2007

Prepared By
State of Oklahoma
Office of Personnel Management
& Merit Protection Commission

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PREFACE

The Agency Human Resources Management Self Evaluation and Management Plan was developed as a joint project of the Office of Personnel Management and the Merit Protection Commission at the recommendation of the Human Resources Management Advisory Committee.

The Plan is also a valuable tool for training and orientation of new state human resources personnel and agency directors, as it provides an overview of state and federal requirements related to human resources. However, it should be noted that The Plan is not a comprehensive listing of all legal requirements related to human resources and employment.

The Plan was designed to assist agencies in:

- Determining compliance with state and federal human resource requirements
- Facilitating agency assessment of human resource activities
- Identifying areas for improvement

- Developing a strategic plan for lawful and effective human resource management

In 1998, the Agency Human Resources Management Self Evaluation and Management Plan was nominated for and received the Eugene H. Rooney, Jr. Award from the National Association of State Personnel Executives. The award recognizes innovative state human resource management practices that ensure access and equity while enhancing productivity and service delivery. The Plan also received a Governor's Commendation Award in conjunction with Quality Oklahoma Team Day.

In addition to new statutory and updated rule requirements, the November 2007 update of the Plan includes:

- E-Verify requirements
- Updated website information for the Oklahoma Office of Personnel Management and Oklahoma Merit Protection Commission
- Updated revisions to The Plan

There is no requirement that this document be returned to OPM or MPC upon completion. The completion of the Agency Human Resources Management Self Evaluation and Management Plan is not a mandatory requirement, but rather is a suggested tool. We hope that this document will prove valuable to your organization.

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Part I.

Agency Human Resources Management Self-Evaluation and Management

For: Merit System Agencies

Agency HR Management Self-Evaluation Practices
For: Merit System Agencies

Check off each item below that has been completed or is a current practice of the agency.

Part A. Affirmative Action and Equal Employment Opportunity

☐ A-1. *For executive branch agencies only*, appoint a civil rights administrator or affirmative action officer.
[OS 74:840-2.1(F); OAC 530:10-3-72]

☐ A-2. Ensure that Affirmative Action Officers have met annual training requirements.
Due: No later than 12/31 of each year.
[OS 74:840-2.1; OAC 530:10-3-78]

☐ A-3. Develop and adopt a written affirmative action plan.
[OS 74:840-2.1(A); OAC 530:10-3-31]

☐ A-4. File affirmative action plan with OPM.
Due: No later than 9/1 of each year.
[OS 74:840-2.1(A); OAC 530:10-3-33]

☐ A-5. Maintain data reflecting composition of agency workforce by race or ethnic group and gender.
[OAC 530:10-3-34]

☐ A-6. Post Consolidated EEO Poster at each work location.
[Satisfies all Federal posting requirements]

☐ A-7. Adopt and distribute policy prohibiting sexual harassment, establishing sanctions, and notifying employees of procedure for filing complaints.
[29 CFR §1604.11(f)]

☐ A-8. Verify tribal affiliation of employees listing Native American as race/national origin for affirmative action purposes.
Due: Within 30 days of appointment.
[OS 74:840-2.1(E)]

☐ A-9. Prepare and file EEO-4 Report.
Due: Prepare annually; file biannually (filing required no later than 09/01 of every odd-numbered year).
[42 USC § 2000e-8(c)]

☐ A-10. Maintain records which could be basis for illegal discrimination (I-9, tribal affiliation verification, workers compensation forms, benefits, etc.) separate from personnel files.
[§1630.14 of EEOC's Technical Assistance Manual]

Part B. New Employee Actions

☐ B-1. Complete Employment Verification Form I-9 on all new employees.
Due: Within 3 days of hire.
[8 USC §1324a(b)(3)]

☐ B-2. Utilize E-Verify to verify employment authorization status within 3 days of hire.
[Effective November 1, 2007; OS 25:1313, H.B. 1804(2007)]

(*E-Verify Users are subject to posting requirements established by the U.S. Department of Homeland Security regarding the use of the E-Verify program*)

☐ B-3. Notify OESC of new hires. (If using the OPM Agency Payroll System, simply enter new hire information into the system.)
Due: Within 20 days of hire.
[OS 40:2-802]

☐ B-4. Establish policy/procedure for notifying unclassified employees of "at will" status.
Due: Notify employees upon hire.
[OS 74:840-5.1A(A)]

☐ B-5. Have new employees sign loyalty oath.
Due: Upon hire or EOD.
[OS 51:36.1 and 51:36.2A]

☐ B-6. Develop agency employee handbook or personnel policy manual to be given to employees upon hire. Update as needed.
[Recommended HR practice, but not required.]

☐ B-7. Have new employees designate a financial institution for mandatory participation in the direct deposit system.
Due: Upon hire.
[OS 74:292.12(A)(1)]

☐ B-8. Post new employee longevity date when employee initially enters on duty as prescribed by the Administrator.
Due: Upon hire.
[OS 74:840-2.18]

☐ B-9. *For classified positions only:* Return certificate to Office of Personnel Management.
Due: Within 30 days after void date.
[OAC 530:10-9-76]

☐ B-10. *For classified positions only:* File promotional plan with OPM; plan should specify the method by which employees will be notified of vacancies.
[OS 74:840-4.15(A); OAC 530:10-11-51(a)]

☐ B-11. *For classified positions only:* Post vacancy notices in accordance with promotional plan.
Due: At least 5 working days before closing date.
[OS 74:840-4.15(A); OAC 530:10-11-51(a)]

☐ B-12. *For classified positions only:* Establish policy on testing for promotions.
[OS 74:840-4.11 and 74:840-4.12(C); OAC 530:10-9-35]

☐ B-13. *For classified positions only:* Post general promotional opportunities for continuous multiple vacancies.
[OS 74:840-4.15; OAC 530:10-11-53]

Part C. Training and Development

☐ C-1. Complete Performance Management Process (PMP) for each employee at least annually. *For probationary classified employees only, must complete PMP at least 30 days prior to the end of probationary period.*
[OS 74:840-4.17(C); OAC 530:10-17-31(c)]

☐ C-2. Retain original PMP forms in the employee's personnel file.
Due: annually.
[OS 74:840-4.17(G); OAC 530:10-17-31(f)]

☐ C-3. Provide employees a copy of the list of accountabilities to be used in the evaluation of their performance.
Due: Upon hire, promotion, demotion, transfer or revision of accountabilities.
[OS 74:840-4.17(B)(2); OAC 530:10-5-3(b)(2);
OAC 530:10-17-31(b)(2)]

☐ C-4. Perform a mid-term interview to discuss employee progress in meeting accountabilities and behaviors.
Due: At mid-point of evaluation period.
[OS 74:840-4.17(B)(3); OAC 530:10-17-31(b)(3)]

☐ C-5. Report agency compliance with the requirements of 74:840-4.17 on OPM Form 98-A or 98-B.
Due: No later than March 31 of each year.
[OAC 530:10-17-31(h)]

☐ C-6. Provide training for discrimination complaints investigator, if an investigator has been designated for the agency.
Due: Prior to investigating complaints.
[OAC 530:10-3-22]

☐ C-7. Provide mandatory training for civil rights or affirmative action administrators and officers.
Due: Annually.
[OS 74:840-2.1(F); OAC 530:10-3-22(a)(3)]

☐ C-8. Provide mandatory training for supervisors.
Due: Within 12 months of appointment and annually thereafter.
[OS 74:840-3.1(B); OAC 530:10-17-93]

☐ C-9. Provide training and certification for personnel professionals.
Due: Within 6 months of appointment and annually thereafter.
[OS 74:840-1.6A(18); OAC 530:10-17-132]

☐ C-10. Establish system for strategic planning for staff development and training needs and expenditures.
[Recommended HR practice; not required]

☐ C-11. Provide orientation program to new employees.
Due: As soon as possible after hire.
[Recommended HR practice; not required]

Part D. Salary and Benefits

☐ D-1. File semi-annual Personnel Transactions Report with OPM.
(Due 1/15 & 7/15.)
[OS 74:840-2.14(B) & (C)]

☐ D-2. Compensate non-exempt employees for overtime in compliance with Fair Labor Standards Act.
[29 USC §201 et seq.]

☐ D-3. Provide written policy explaining FMLA rights and obligations to each employee.
Due: Upon hire / when policy is updated.

[29 CFR §825.301(a)(1)]

☐ D-4. Maintain group health insurance coverage for employees on FMLA leave.
[29 CFR §2614(c)(1)]

☐ D-5. Ensure all classified employees are paid at or above the minimum of the appropriate pay band.
[OAC 530: 10-7-2]

☐ D-6. Ensure that hiring rates above the midpoint of the pay band are approved by OPM.
[OAC 530: 10-7-3 (a)]

☐ D-7. Designate insurance and retirement coordinator.
[OAC 360:10-3-3]

☐ D-8. Obtain written agreement that employee may be required to take compensatory time in lieu of overtime pay.
Due: Prior to allowing overtime.
[29 USC §553.23; OAC 530:10-7-12(c)(1)]

☐ D-9. Provide copy of the most current member handbook to each participating member of OPERS.
Due: As needed.
[OAC 590:1-1-5(c)]

☐ D-10. Report use of pay movement mechanisms to OPM.
Due: January 1st.
[OAC 530:10-7-1.2(b)]

☐ D-11. Review positions for FLSA exempt/non-exempt status.
Due: Annually.
[Recommended HR practice; not required]

☐ D-12. Ensure that all employees are participating in the direct deposit system.
Due: June 30, 2007
[OS 74:292.12(A)(2)]

Part E. Conflict Resolution

☐ E-1. Post current copy of "Whistleblower Act"
[OS 74:840-2.5(D); OAC 455:10-3-6(d)]

☐ E-2. Encourage use of MPC's Voluntary Mediation Program, when

appropriate.
[OAC 455:10-17-8; Recommended HR practice—not required]

☐ E-3. *For classified employees only:* Establish written grievance resolution policy or adopt policy established by Merit Rules.
[OS 74:840-6.2(A); OAC 455:10-19-20(a)]

☐ E-4. *For classified employees only:* Designate employee(s) to receive and process formal grievances.
[OS 74:840-6.2(G); OAC 455:10-19-20(b)(2)]

☐ E-5. *For classified employees only:* Schedule designated employee(s) to attend required training for formal grievance process.
[OS 74:840-6.2(H); OAC 455:10-19-20(b)(4)]

☐ E-6. *For classified employees only:* Display name, address, and phone number of employee(s) designated to receive and process formal grievances in prominent location(s).
[OAC 455:10-19-7]

☐ E-7. *For classified employees only:* Provide statistical report on grievances to MPC.
Due: Annually, no later than August 1st .
[OS 74:840-6.2(I); OAC 455:10-19-5]

☐ E-8. *For classified employees only:* Establish written progressive discipline policy and file with MPC; or adopt policy established by Merit Rule.
[OS 74:840-6.3(A); OAC 455:10-11-5(a)]

☐ E-9. *For classified employees only:* Furnish employees a copy of progressive discipline policy.
[OAC 455:10-11-5(b)]

☐ E-10. *For classified employees only:* Provide progressive discipline statistical report to MPC.
[OAC 455:10-11-9(b)]
Due: Annually, no later than August 1st.

Part F. Health, Safety and Security

☐ F-1. Maintain record of workers compensation injuries which result in loss of time beyond shift or require medical attention.
[OS 85:24.1(A)]

☐ F-2. Maintain standard workers compensation policy through CompSource Oklahoma [OS 85:2b(A)(2)]

☐ F-3. Post notice that employees are covered under the Workers' Compensation Act and that workers' compensation counselors are available at Workers' Compensation Court.
[OS 85:43(D)]

☐ F-4. Designate agency safety officer. (Agencies less than 25 employees exempt.)
[OS 40:403(E)(1)]

☐ F-5. Provide safety classes. (Agencies less than 25 employees exempt.)
Due: Quarterly.
[OS 40:403(E)(2)]

☐ F-6. Post EAP information and contacts in all work locations.
[Recommended HR practice; not required.]

☐ F-7. Establish and distribute written policy on violence in the workplace.
[Recommended HR practice; not required.]

☐ F-8. Establish, distribute and post written policy on drug and alcohol testing.
(Required only if agency conducts drug and alcohol testing.)
[OS 40:551 et seq.]

Part G. Record-keeping and Miscellaneous Requirements

☐ G-1. Identify essential functions (fundamental job duties) of all positions.
Due: Review annually and update as needed.
[ADA, 42 USC §12112]

☐ G-2. Maintain confidentiality of personal information in employee records; allow access to personnel files only as authorized by the Open Records Act and Oklahoma Personnel Act.
[OS 51:24A.7; OS 74:840-2.11]

☐ G-3. Retain and destroy personnel records according to Consolidated General Records Disposition Schedule.
[OS 67:206; OS 67:210]

☐ G-4. Determine essential agency functions (basic minimum services) in case of hazardous weather, and inform employees who staff such

functions.
[OS 74:840-2.20A(B)]

☐ G-5. Retain affirmative action plans and workforce composition data at least 1 year after acceptance of plan.
[General Records Disposition Schedule 3-9]

☐ G-6. Retain I-9 and supporting documentation for 1 year after person is no longer employed, provided the records are at least 3 years old and no legal action is pending.
[General Records Disposition Schedule 3-44]

☐ G-7. Retain applications, resumes, and other applicant information for 2 years.
[General Records Disposition Schedule 3-3 and 3-4]

☐ G-8. Maintain records of training of all supervisory employees; report compliance for previous year at request of OPM Administrator.
[OAC 530:10-17-95; OAC 530:10-17-97]

☐ G-9. Retain payroll records for at least 3 years.
[General Records Disposition Schedule 3-21A and 3-45A]

☐ G-10. Retain records relating to FMLA and other leave for at least 3 years.
[29 CFR §825.500; General Records Disposition Schedule 3-22, 3-23, 3-94]

☐ G-11. Submit evidence to assure that agency is in compliance with state standards of accessibility of information to individuals with disabilities.
Due: Annually
[OS 62:41.5t]

☐ G-12. *For classified employees only:* Maintain grievance records separately from personnel file.
[OS 74:840-6.2(I); OAC 455:10-19-4]

Part H. Posting Requirements

STATE

☐ H-1. Oklahoma Human Rights Commission Anti-Discrimination
Due: Immediately.
[O.S. 25:1302]

☐ H-2. Oklahoma Minimum Wage Act
Due: Immediately
[O.S. 40:197.1 et seq.]

☐ H-3. Oklahoma Occupational Health & Safety Standards Act of 1970
(Public Employee Occupational Safety & Health)
Due: Immediately.
[O.S. 40:401 et seq.]

☐ H-4. Oklahoma Workers' Compensation Notice
Due: Immediately.
[O.S.85:1 et seq.)]

☐ H-5. Notice to Workers and Registration Certificate (OESC)
Due: Immediately.
[O.S.40:2-502]

☐ H-6. Oklahoma Whistleblower Act
Due: Immediately.
[OS 74:840-2.5(D); OAC 455:10-3-6(d)]

FEDERAL

☐ H-7. Uniformed Services Employment and Reemployment
Rights Act (USERRA)
Due: Immediately.
[www.dol.gov/vets/programs/userra/poster.pdf]

☐ H-8. Fair Labor Standards Act (Federal Minimum Wage)
Due: Immediately
[www.dol.gov/esa/regs/compliance/posters/pdf/minwagebwP.pdf]

☐ H-9. Family and Medical Leave Act
Due: Immediately.
[www.dol.gov/esa/regs/compliance/posters/pdf/fmlaen.pdf]

☐ H-10. Occupational Safety and Health Act (OSHA)
Due: Immediately.
[www.osha.gov/Publications/osha3165.pdf]

☐ H-11. Employee Polygraph Protection Act
Due: Immediately.
[www.dol.gov/esa/regs/compliance/posters/pdf/eppabw.pdf]

☐ H-12. Equal Employment Opportunity Act (EEO)
Due: Immediately.
[/www.dol.gov/esa/regs/compliance/posters/pdf/eeopost.pdf]

☐ H-13. Notice to Workers with Disabilities
Due: Immediately.
[www.dol.gov/esa/regs/compliance/posters/pdf/disabc.pdf]

Part I. Classification *(For classified employees only)*

☐ I-1. Notify employees of new or revised job family descriptors and provide copies upon request.
Due: Upon adoption or revision of job family descriptor.
[OAC 530:10-5-8(d)(3)]

☐ I-2. Make current job family descriptor and position description questionnaire (OPM-39) for each position available.
Due: Upon request.
[OAC 530:10-5-3(b)(6)(A) & (C)]

☐ I-3. Review job family descriptors.
Due: Annually.
[OAC 530:10-5-3(b)(1)]

☐ I-4. Provide copy of overtime policy to OPM and make available to interested persons on request.
[OAC 530:10-7-12(a)]

☐ I-5. Submit Salary Administration Plan to OPM for approval.
Due: Upon revision of plan.
[OAC 530:10-7-1.1]

☐ I-6. Notify OPM of planned employee demotion resulting from position audit or reclassification.
Due: Prior to demotion.
[O.S. 74:840-6.5; OAC 530:10-5-52]

Agency Human Resource Management Plan
For Merit System Agencies

1. In a separate document, for each required item listed above that was not checked as being completed or as being a current practice of the agency, develop a plan for bringing the agency into compliance. Such plan might include:
   a) Assignment of a staff person to be responsible for the item;
   b) A detailed identification of the corrective action needed;
   c) A determination of whether the input or cooperation of any other departments is necessary to bring the agency into compliance;
   d) An analysis of whether assistance is available from resources outside the agency;
   e) Establishment of a target dates for completion (or for instituting a new policy or procedure, where applicable).
   f) A plan for follow-up to ensure that compliance is attained by established deadlines.

2. What is your agency's mission statement, and how can the agency's HR management program support that mission?

3. What is the mission statement of your agency's HR management program?

4. What are the objectives and goals of your agency's HR management program?

5. Compare the effectiveness of your agency's HR management program with previous years' efforts. (It may be helpful to make comparisons in specific areas, such as recruitment and retention, staff development and training, employee performance appraisal, and employee recognition and incentives.)

6. Does your agency's HR management program have a plan or program for the following, and if not, would such plans or programs be beneficial to your agency:

   a) Tracking of staff training and development needs and expenditures?

   b) Ensuring compliance with annual performance evaluation requirements?
   c) Encouraging employee participation in the development of agency HR programs?
   d) Conducting workforce planning?
   e) Ensuring lawful hiring practices, including the use of structured interviews?

f) Recognizing employee productivity and outstanding performance? [See OS 74:4121 and 4122; OAC 530:10-23-3]

7. Could utilization of any of the following programs benefit your agency?

a) Direct Hire for professional practice and/or hard-to-fill positions? [See OS 74:840-4.13; OAC 530:10-9-110 through 530:10-9-121]
b) Expedited recruitment? [See OS 74:840-1.6A; OAC 530:10-9-123]
c) Delegation of human resource functions? [See OS 74:840-1.15; OAC 530:10-1-30 through 53]
d) State Work Incentive Program? [See OS 74:840-5.16; OAC 530:10-17-170 through 177]
e) Carl Albert Public Internship Program? [See OS 74:840-3.2 through 3.7; OAC 530:10-17-70 through 84]
f) State Personnel Interchange Program? [See OS 74:840-3.9 through 3.14; OAC 530:10-17-50 through 52]
g) Certified Public Manager Program? [OS 74:840-3.15; OAC 530:10-17-110 through 115]
h) Voluntary Mediation Program? [OAC 455:10-17-8]

Appendix A. Key to Abbreviations

AA	Affirmative Action
ADA	Americans with Disabilities Act
CFR	Code of Federal Regulations
EAP	Employee Assistance Program
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
FLSA	Fair Labor Standards Act
FMLA	Family Medical Leave Act
MPC	Merit Protection Commission
OAC	Oklahoma Administrative Code
OS	Oklahoma Statutes
OESC	Oklahoma Employment Security Commission
OPERS	OK Public Employees Retirement System
OPM	Office of Personnel Management
OSF	Office of State Finance
USC	United States Code

Rules adopted by OPM (rules beginning with the number "530") are available on the OPM website at www.opm.ok.gov. The Oklahoma Personnel Act is also available through the OPM website.

Rules adopted by MPC (rules beginning with the number "455") are available on the MPC website at www.mpc.ok.gov.

The Oklahoma Statutes may be found at www.lsb.state.ok.us.

Part II.

Agency Human Resources Management Self-Evaluation and Management

For: Non-Merit System Agencies

Agency HR Management Self-Evaluation Practices
For: Non-Merit System Agencies

Check off each item below that has been completed or is a current practice of the agency.

Part A. Affirmative Action and Equal Employment Opportunity

☐ A-1. *For executive branch agencies only*, appoint a civil rights administrator or affirmative action officer.
[OS 74:840-2.1(F); OAC 530:10-3-72]

☐ A-2. Ensure that Affirmative Action Officers have met annual training requirements.
Due: No later than 12/31 of each year.
[OS 74:840-2.1; OAC 530:10-3-78]

☐ A-3. Develop and adopt a written affirmative action plan.
[OS 74:840-2.1(A); OAC 530:10-3-31]

☐ A-4. File affirmative action plan with OPM.
Due: No later than 9/1 of each year.
[OS 74:840-2.1(A); OAC 530:10-3-33]

☐ A-5. Maintain data reflecting composition of agency workforce by race or ethnic group and gender.
[OAC 530:10-3-34]

☐ A-6. Post Consolidated EEO Poster at each work location.
[Satisfies all Federal posting requirements]

☐ A-7. Adopt and distribute policy prohibiting sexual harassment, establishing sanctions, and notifying employees of procedure for filing complaints.
[29 CFR §1604.11(f)]

☐ A-8. Verify tribal affiliation of employees listing Native American as race/national origin for affirmative action purposes.
Due: Within 30 days of appointment.
[OS 74:840-2.1(E)]

☐ A-9. Prepare and file EEO-4 Report.
Due: Prepare annually; file biannually (filing required no later than 09/01 of every odd-numbered year).
[42 USC § 2000e-8(c)]

☐ A-10. Maintain records which could be basis for illegal discrimination (I-9, tribal affiliation verification, workers compensation forms, benefits, etc.) separate from personnel files.
[§1630.14 of EEOC's Technical Assistance Manual]

Part B. New Employee Actions

☐ B-1. Complete Employment Verification Form I-9 on all new employees.
Due: Within 3 days of hire.
[8 USC §1324a(b)(3)]

☐ B-2. Utilize E-Verify to verify employment authorization status within 3 days of hire.
[Effective November 1, 2007; OS 25:1313, H.B. 1804(2007)]

(*E-Verify Users are subject to posting requirements established by the U.S. Department of Homeland Security regarding the use of the E-Verify program*)

☐ B-3. Notify OESC of new hires. (If using the OPM Agency Payroll System, simply enter new hire information into the system.)
Due: Within 20 days of hire.
[OS 40:2-802]

☐ B-4. Establish policy/procedure for notifying unclassified employees of "at will" status.
Due: Notify employees upon hire.
[OS 74:840-5.1A(A)]

☐ B-5. Have new employees sign loyalty oath.
Due: Upon hire or EOD.
[OS 51:36.1 and 51:36.2A]

☐ B-6. Develop agency employee handbook or personnel policy manual to be given to employees upon hire. Update as needed.
[Recommended HR practice, but not required.]

☐ B-7. Have new employees designate a financial institution for mandatory participation in the direct deposit system.
Due: Upon hire.
[OS 74:292.12(A)(1)]

☐ B-8. Post new employee longevity date when employee initially enters on duty as prescribed by the Administrator.
Due: Upon hire.
[OS 74:840-2.18]

Part C. Training and Development

☐ C-1. Complete Performance Management Process (PMP) for each employee at least annually.
[OS 74:840-4.17(C); OAC 530:10-17-31(c)]

☐ C-2. Retain original of PMP forms in the employee's personnel file.
Due: Annually
[OS 74:840-4.17(G); OAC 530:10-17-31(f)]

☐ C-3. Provide employees a copy of the list of accountabilities to be used in the evaluation of their performance.
Due: Upon hire, promotion, demotion, transfer or revision of accountabilities.
[OS 74:840-4.17(B)(2); OAC 530:10-5-3(b)(2); OAC 530:10-17-31(b)(2)]

☐ C-4. Perform a mid-term interview to discuss employee progress in meeting accountabilities and behaviors.
Due: At mid-point of evaluation period.
[OS 74:840-4.17(B)(3); OAC 530:10-17-31(b)(3)]

☐ C-5. Report agency compliance with the requirements of 74:840-4.17 on OPM Form 98-A or 98-B.
Due: No later than March 31 of each year.
[OAC 530:10-17-31(h)]

☐ C-6. Provide training for discrimination complaints investigator, if an investigator has been designated for the agency.
Due: Prior to investigating complaints.
[OAC 530:10-3-22]

☐ C-7. Provide mandatory training for civil rights or affirmative action administrators and officers.
Due: Annually.
[OS 74:840-2.1(F); OAC 530:10-3-22(a)(3)]

☐ C-8. Provide mandatory training for supervisors.
Due: Within 12 months of appointment and annually thereafter.
[OS 74:840-3.1(B); OAC 530:10-17-93]

☐ C-9. Provide training and certification for personnel professionals.
Due: Within 6 months of appointment and annually thereafter.
[OS 74:840-1.6A(18); OAC 530:10-17-132]

☐ C-10. Establish system for strategic planning for staff development and training needs and expenditures.
[Recommended HR practice; not required]

☐ C-11. Provide orientation program to new employees.
Due: As soon as possible after hire.
[Recommended HR practice; not required]

Part D. Salary and Benefits

☐ D-1. File semi-annual Personnel Transactions Report with OPM.
(Due 1/15 & 7/15.)
[OS 74:840-2.14(B) & (C)]

☐ D-2. Compensate non-exempt employees for overtime in compliance with Fair Labor Standards Act.
[29 USC §201 et seq.]

☐ D-3. Provide written policy explaining FMLA rights and obligations to each employee.
Due: Upon hire / when policy is updated.
[29 CFR §825.301(a)(1)]

☐ D-4. Maintain group health insurance coverage for employees on FMLA leave.
[29 CFR §2614(c)(1)]

☐ D-5. Designate insurance and retirement coordinator.
[OAC 360:10-3-3]

☐ D-6. Obtain written agreement that employee may be required to take compensatory time in lieu of overtime pay.
Due: Prior to allowing overtime.
[29 USC §553.23; OAC 530:10-7-12(c)(1)]

☐ D-7. Provide copy of the most current member handbook to each participating member of OPERS.
Due: As needed.
[OAC 590:1-1-5(c)]

☐ D-8. Report use of pay movement mechanisms to OPM.
Due: January 1st.
[OAC 530:10-7-1.2(b)]

☐ D-9. Review positions for FLSA exempt/non-exempt status.
Due: Annually.
[Recommended HR practice; not required]

☐ D-10. Ensure that all employees are participating in the direct deposit system.
Due: June 30, 2007

[OS 74:292.12(A)(2)]

Part E. Conflict Resolution

☐ E-1. Post current copy of "Whistleblower Act" [OS 74:840-2.5(D)].
[OAC 455:10-3-6(d)]

☐ E-2. Encourage use of MPC's Voluntary Mediation Program, when appropriate.
[OAC 455:10-17-8; Recommended HR practice—not required]

Part F. Health, Safety and Security

☐ F-1. Maintain record of workers compensation injuries which result in loss of time beyond shift or require medical attention.
[OS 85:24.1(A)]

☐ F-2. Maintain standard workers compensation policy through CompSource Oklahoma.
[OS 85:2b(A)(2)]

☐ F-3. Post notice that employees are covered under the Workers' Compensation Act and that workers' compensation counselors are available at Workers' Compensation Court.
[OS 85:43(D)]

☐ F-4. Designate agency safety officer. (Agencies less than 25 employees exempt.)
[OS 40:403(E)(1)]

☐ F-5. Provide safety classes. (Agencies less than 25 employees exempt.)
Due: Quarterly.
[OS 40:403(E)(2)]

☐ F-6. Post EAP information and contacts in all work locations.
[Recommended HR practice; not required.]

☐ F-7. Establish and distribute written policy on violence in the workplace.
[Recommended HR practice; not required.]

☐ F-8. Establish, distribute and post written policy on drug and alcohol testing.
(Required only if agency conducts drug and alcohol testing.)
[OS 40:551 et seq.]

Part G. Record-keeping and Miscellaneous Requirements

☐ G-1. Identify essential functions (fundamental job duties) of all positions.
Due: Review annually and update as needed.
[ADA, 42 USC §12112]

☐ G-2. Maintain confidentiality of personal information in employee records; allow access to personnel files only as authorized by the Open Records Act and Oklahoma Personnel Act.
[OS 51:24A.7; OS 74:840-2.11]

☐ G-3. Retain and destroy personnel records according to Consolidated General Records Disposition Schedule.
[OS 67:206; OS 67:210]

☐ G-4. Determine essential agency functions (basic minimum services) in case of hazardous weather, and inform employees who staff such functions.
[OS 74:840-2.20A(B)]

☐ G-5. Retain affirmative action plans and workforce composition data at least 1 year after acceptance of plan.
[General Records Disposition Schedule 3-9]

☐ G-6. Retain I-9 and supporting documentation for 1 year after person is no longer employed, provided the records are at least 3 years old and no legal action is pending.
[General Records Disposition Schedule 3-44]

☐ G-7. Retain applications, resumes, and other applicant information for 2 years.
[General Records Disposition Schedule 3-3 and 3-4]

☐ G-8. Maintain records of training of all supervisory employees; report compliance for previous year at request of OPM Administrator.
[OAC 530:10-17-95; OAC 530:10-17-97]

☐ G-9. Retain payroll records for at least 3 years.
[General Records Disposition Schedule 3-21A and 3-45A]

☐ G-10. Retain records relating to FMLA and other leave for at least 3 years.
[29 CFR §825.500; General Records Disposition Schedule 3-22, 3-23, 3-94]

☐ G-11. Submit evidence to assure that agency is in compliance with state standards of accessibility of information to individuals with disabilities.

Due: Annually
[OS 62:41.5t]

Part H. Posting Requirements

STATE

☐ H-1. Oklahoma Human Rights Commission Anti-Discrimination
Due: Immediately.
[O.S. 25:1302]

☐ H-2. Oklahoma Minimum Wage Act
Due: Immediately
[O.S. 40:197.1 et seq.]

☐ H-3. Oklahoma Occupational Health & Safety Standards Act of 1970
(Public Employee Occupational Safety & Health)
Due: Immediately.
[O.S. 40:401 et seq.]

☐ H-4. Oklahoma Workers' Compensation Notice
Due: Immediately.
[O.S.85:1 et seq.)]

☐ H-5. Notice to Workers and Registration Certificate (OESC)
Due: Immediately.
[O.S.40:2-502]

☐ H-6. Oklahoma Whistleblower Act
Due: Immediately.
[OS 74:840-2.5(D); OAC 455:10-3-6(d)]

FEDERAL

☐ H-7. Uniformed Services Employment and Reemployment
Rights Act (USERRA)
Due: Immediately.
[www.dol.gov/vets/programs/userra/poster.pdf]

☐ H-8. Fair Labor Standards Act (Federal Minimum Wage)
Due: Immediately
[www.dol.gov/esa/regs/compliance/posters/pdf/minwagebwP.pdf]

☐ H-9. Family and Medical Leave Act
Due: Immediately.
[www.dol.gov/esa/regs/compliance/posters/pdf/fmlaen.pdf]

☐ H-10. Occupational Safety and Health Act (OSHA)
Due: Immediately.

[www.osha.gov/Publications/osha3165.pdf]

☐ H-11. Employee Polygraph Protection Act
Due: Immediately.
[www.dol.gov/esa/regs/compliance/posters/pdf/eppabw.pdf]

☐ H-12. Equal Employment Opportunity Act (EEO)
Due: Immediately.
[/www.dol.gov/esa/regs/compliance/posters/pdf/eeopost.pdf]

☐ H-13. Notice to Workers with Disabilities
Due: Immediately.
[www.dol.gov/esa/regs/compliance/posters/pdf/disabc.pdf]

Agency Human Resource Management Plan
For Non-Merit System Agencies

1. In a separate document, for each required item listed above that was not checked as being completed or as being a current practice of the agency, develop a plan for bringing the agency into compliance. Such plan might include:
   a) Assignment of a staff person to be responsible for the item;
   b) A detailed identification of the corrective action needed;
   c) A determination of whether the input or cooperation of any other departments is necessary to bring the agency into compliance;
   d) An analysis of whether assistance is available from resources outside the agency;
   e) Establishment of a target dates for completion (or for instituting a new policy or procedure, where applicable).
   f) A plan for follow-up to ensure that compliance is attained by established deadlines.

2. What is your agency's mission statement, and how can the agency's HR management program support that mission?

3. What is the mission statement of your agency's HR management program?

4. What are the objectives and goals of your agency's HR management program?

5. Compare the effectiveness of your agency's HR management program with previous years' efforts. (It may be helpful to make comparisons in specific areas, such as recruitment and retention, staff development and training, employee performance appraisal, and employee recognition and incentives.)

6. Does your agency's HR management program have a plan or program for the following, and if not, would such plans or programs be beneficial to your agency:

   a) Tracking of staff training and development needs and expenditures?
   b) Ensuring compliance with annual performance evaluation requirements?

   c) Encouraging employee participation in the development of agency HR programs?
   d) Conducting workforce planning?
   e) Ensuring lawful hiring practices, including the use of structured interviews?

   f) Recognizing employee productivity and outstanding performance? [See 74:4121 and 4122; OAC 530:10-23-3]

7. Could utilization of any of the following programs benefit your agency?

   a) State Work Incentive Program? [See OS 74:840-5.16; OAC 530:10-17-170 through 177]

b) Carl Albert Public Internship Program? [See OS 74:840-3.2 through 3.7; OAC 530:10-17-70 through 84]

c) State Personnel Interchange Program? [See OS 74:840-3.9 through 3.14; OAC 530:10-17-50 through 52]

d) Certified Public Manager Program? [OS 74:840-3.15; OAC 530:10-17-110 through 115]

e) Voluntary Mediation Program? [OAC 455:10-17-8]

Appendix A. Key to Abbreviations

AA	Affirmative Action
ADA	Americans with Disabilities Act
CFR	Code of Federal Regulations
EAP	Employee Assistance Program
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
FLSA	Fair Labor Standards Act
FMLA	Family Medical Leave Act
MPC	Merit Protection Commission
OAC	Oklahoma Administrative Code
OS	Oklahoma Statutes
OESC	Oklahoma Employment Security Commission
OPERS	OK Public Employees Retirement System
OPM	Office of Personnel Management
OSF	Office of State Finance
USC	United States Code

Rules adopted by OPM (rules beginning with the number "530") are available on the OPM website at www.opm.ok.gov. The Oklahoma Personnel Act is also available through the OPM website.

Rules adopted by MPC (rules beginning with the number "455") are available on the MPC website at www.mpc.ok.gov.

The Oklahoma Statutes may be found at www.lsb.state.ok.us.

Part III.

Special Agency Internal Audit Report

SPECIAL AGENCY INTERNAL AUDIT REPORT

Office of Personnel Management
State of Oklahoma

Name of Agency/Agency Number: _____

Organizational Structure and Reporting Relationships		
1. Does your Agency have documentation of your organizational structure that identifies each position in the Agency indicating incumbent name, job title, job code, classified/unclassified status, work location, full-time/part-time status, and shows the lines of supervisory authority within the Agency?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

2. Has your review of the organizational structure revealed any reporting relationships outside the normal lines of supervisory authority?	Yes	No
*If the answer to this question is **Yes**, explain why such reporting relationships are necessary and appropriate or summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

3. Does your Agency maintain job duties and responsibilities for all classified and unclassified positions? *Note:* For classified positions job family descriptors satisfy this requirement; however, it is recommended that specific job duties and responsibilities be developed for each position.	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

4. Are job duties and responsibilities for each position reviewed annually and do they accurately reflect the work being performed for all positions?	Yes	No
5. Are the job duties and responsibilities made available to employees?	Yes	No

*If the answer to either of these questions is **No**, summarize a corrective plan of action and provide the information below.*
Action Plan Summary:

Assigned to:	*Due date:*

Personnel Transactions

6. Has your Agency filed a promotional plan with the Office of Personnel Management describing how vacancies in the classified service are filled as required by statute [O.S. 74:840-4.15(A)]?	N/A	Yes	No

*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.*
Action Plan Summary:

Assigned to:	*Due date:*

7. Does your Agency have written policies and procedures for classified service personnel transactions (hires, promotions, demotions, lateral transfers, salary adjustments, separations, and reinstatements)?	N/A	Yes	No

*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.*
Action Plan Summary:

Assigned to:	*Due date:*

8. Explain how your Agency fills vacancies in the regular unclassified service (excluding temporary and time-limited appointments).

9. Explain how your Agency makes compensation decisions for regular unclassified employees (excluding temporary and time-limited appointments).

10. Does your Agency maintain records of all personnel transactions (hires, promotions, demotions, lateral transfers, salary adjustments, separations, and reinstatements)?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

11. For Merit System Agencies: Are records of all personnel transactions provided to the Office of Personnel Management within 30 days of the date the transaction becomes effective?	N/A	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*			
Assigned to:	*Due date:*		

Evidence of Work Effort

12. Does your Agency have a system for time-keeping which allows you to track time worked and leave taken by all employees in accordance with state and federal rules and statutes?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

13. Are time-keeping records approved by the immediate supervisor for each employee?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

14. Is payroll generated from the time-keeping records maintained by your agency?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

15. Who, other than the Appointing Authority, signs and certifies the payroll claim certification (see footnote*)? List these personnel by name and title.

* The payroll claim certification states, "The Approving Officer hereby certifies that, to the best of his knowledge and belief, all payroll deductions listed hereon are in accordance with existing authorizations approved by individual officers and employees and maintained as a permanent personnel record of this agency; that the recording of names, numbers, extended amounts, and totals are correct; that he has checked and approved as to the amounts due individually to all officials and employees for the period of time shown, and at the rates certified; also that the official, officials, employee, or employees of such agency, authority, board, commission, institution, instrumentality, office, or organization were appointed and employed in accordance with the Oklahoma Personnel Act 74:840-1.1 et seq. and the rules, regulations and orders promulgated thereunder, and that such persons performed the duties to which they were assigned by the constitution of Oklahoma, the statutes of Oklahoma, or by written administrative directive in absence of statutory or constitutional requirements; (such administrative directive to be on file in the agency, board, commission, institution, instrumentality, office, or organization prior to the filing of the payroll claim). That such official, officials, employee, employees were present at their official duty stations or assigned place of duty, or were in an approved travel status for official purposes, without exception save as specially noted opposite such official, officials, employee, or employees' name and entry on the payroll forms. The Approving Officer (if he was elected, appointed, or employed on or after July 1, 1953) further certifies that he has taken and filed the oath or affirmation required by Section 36.4 of Title 51 of the Oklahoma Statutes and said Approving Officer also certifies that every other officer or employee whose name appears on said payroll who was elected, appointed, or employed on or after July 1, 1953, has notified him in writing that he has taken and filed said oath of affirmation."

16. For all employees is evidence of work effort verified by 1) direct observation of employees performing the duties assigned to them or 2) documentation of work effort such as regular reports, activity/travel logs, or 3) third party client/customer contacts?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

17. How many employees at your Agency were required to have employee performance evaluations in FY 20060 (7/1/05 to 6/30/06) as required in statute [O.S. 74:840-4.17(A)]?	# of employees
18. How many of these employees have had a performance evaluation conducted on them in FY 2006 (7/1/05 to 6/30/06) according to the requirements of O.S. 74:840-4.17(B)?	# of employees
If the number reported in question 17 is greater than the number reported in question 18, summarize a corrective plan of action or provide an explanation for the discrepancy below.	
Assigned to:	*Due date:*

19. Have you reported agency compliance with the employee performance evaluation requirements to the Office of Personnel Management pursuant to state law [O.S. 74:840-4.17(H)]?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

20. Does your Agency complete annual performance evaluations for employees ***not*** required to have annual employee service ratings according to statute (excluding temporary and time-limited appointments)?	Yes	No
*If **Yes**, describe for which positions these service ratings are conducted?*		

21. Does your Agency monitor purchases for professional services and for contractual services for hours worked and/or duties performed according to the Central Purchasing Act (O.S. 74:85.4) and the procedures of the Office of State Finance?	N/A	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*			
Assigned to:	*Due date:*		

Controls		
22. Are all appointments, separations, and any salary changes approved personally by the Appointing Authority?	Yes	No
*If the answer to this question is **No**, list all other individuals that have been delegated authority to approve these personnel transactions by name and title.*		

23. Does each employee authorized to update the PeopleSoft system have an access code that is assigned to them individually and limited to their exclusive use?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

24. Is the person that signs the payroll claim certification at your Agency different from personnel that update the PeopleSoft system?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

25. Does your Agency have an overtime approval policy for all positions that requires supervisory review and Appointing Authority/Designee approval?	Yes	No
*If the answer to this question is **No**, summarize a corrective plan of action and provide the information below.* *Action Plan Summary:*		
Assigned to:	*Due date:*	

26. If your Agency has an internal audit function, does the audit plan include provisions for auditing human resources and payroll procedures?	N/A	Yes	No
27. If your Agency has both an internal audit function and a governing board, does this internal audit function report directly to both the governing board and the Appointing Authority?	N/A	Yes	No
*If the answer to either of these questions is **No**, explain why not.*			

28. Does your Agency have a designated person to accept anonymous reports of 1) violations of personnel policies and practices, or 2) absence of employees or evidence of work effort; ***and*** has information on how to report abuses been given to all employees?		Yes	No
29. If **Yes**, does the person designated above have the authority to investigate these reports and make recommendations to the Appointing Authority and the Cabinet Secretary and governing board as appropriate?	N/A	Yes	No
*If the answer to either of these questions is **No**, explain why you believe such a process should not be established.*			

Signature Page

I, _____ as the Appointing Authority of _____
Name Name of Agency
do hereby certify that each employee of the agency is meeting his or her job description for time spent and activities conducted. I also understand that I may be asked to provide documentation to verify the accuracy of the responses provided in this Special Agency Internal Audit and Review Form.

_____
Signature of Appointing Authority Today's Date

I have read this report and reviewed supporting documentation for the answers provided. Furthermore, I have scheduled this information to be formally presented to the entire Governing Board.

_____	_____	_____
Date of Scheduled Governing Board Meeting	Signature of Governing Board Chair	Today's Date