

~~TITLE 530. OFFICE OF PERSONNEL MANAGEMENT
CHAPTER 20. OKLAHOMA STATE EMPLOYEES' DIRECT DEPOSIT Rules~~

530:20-1-1. Purpose

~~(a) This Chapter establishes policies and procedures to administer the Oklahoma State Employees' Direct Deposit Act, Section 292.10 et seq. of Title 74 of the **Oklahoma Statutes**. The rules in this Chapter are not intended to replace or conflict with other laws and rules, such as Section 840.23 of Title 74 of the Oklahoma Statutes, which governs procedures for recovery of overpayments.~~

~~(b) Chapter 1 of this Title contains general rules of the Office of Personnel Management (OPM) that also apply to the Oklahoma State Employees' Direct Deposit Act.~~

530:20-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

"Act" means the Oklahoma State Employees' Direct Deposit Act, Section 292.10 et seq. of Title 74 of the Oklahoma Statutes.

"Administrator" means the Administrator of the Office of Personnel Management.

"Automatic Deposit Transmittal form" means a form voluntarily completed by a state employee to provide enrollment or termination information for the direct deposit system and to authorize the use of electronic funds transfer for payroll warrants.

"Banking day" means *a day on which a bank is open to the public for carrying on substantially all of its banking functions* [12A:4-104].

"Day" means a calendar day.

"Direct deposit system" *shall mean a method of electronically transferring a payroll [warrant] for an eligible employee whereby the employee agrees to an electronic transfer of any payroll [warrant] to a financial institution* [74:292.11(1)].

"Electronic funds transfer" means transferring an employee's net pay directly into the employee's financial institution account electronically rather than issuing pay warrants.

"Employee" means any person in the classified, unclassified or exempt service of any employer [74:292.11(2)].

"Employer" *means any state agency, board, commission, department, institution, authority, officer, bureau, council, office, the Oklahoma State Regents for Higher Education or any institution under the authority of the State Regents for Higher Education, or other entity created by the Oklahoma Constitution. "Employer" shall not include any school district or political subdivision of this state* [74:292.11(3)].

"Participant" means a person who is participating in the direct deposit system.

530:20-1-3. Participation mandatory

~~(a) Employees hired after December 31, 2004, shall participate in the direct deposit system. At the time the employee enters on duty, the employee shall identify a financial institution that will serve as a personal depository agent for the employee [74:292.12(A)(1)].~~

~~(b) Employees hired before December 31, 2004, shall participate in the direct deposit system. No later than June 30, 2007, each employee hired before December 31, 2004,~~

who is not a participant in the direct deposit system, shall identify a financial institution that will serve as a personal depository agent for the employee [74:292.12(A)(2)].

530:20-1-4. Exceptions to participation

(a) An employer may waive participation in the direct deposit system for temporary, seasonal or student employees.

(b) An employee may submit a written application to his employer that identifies extraordinary needs or circumstances that would prevent the employee from participating in the direct deposit system. If deemed appropriate, the employer may waive participation in the direct deposit system for that employee. The employer may require periodic review of the extraordinary needs and circumstances of its employees granted exceptions to determine whether or not continued exemption is warranted.

530:20-1-5. [RESERVED]

530:20-1-6. Responsibilities of employers

(a) All employers shall begin offering direct deposit to any eligible employees not later than January 1, 1992 [74:292.12(C)].

(b) All employers shall distribute and make available to employees information about the direct deposit system and automatic deposit transmittal forms.

(c) Employers receiving individual "advice of deposit" forms and pay stubs showing a record of earnings shall provide them to employees in the direct deposit system instead of payroll warrants.

(d) Employers that do not use the OSF payroll accounting system shall provide a direct deposit service for their employees. The service shall agree with the Act and this Subchapter. It shall include the use of an automatic deposit transmittal form like the form described in Section 530:20-1-14 and approved by OPM. The rules in this Chapter do not require revision of any direct deposit authorization form in effect before January 1, 1992, that substantially agrees with 530:20-1-14.

530:20-1-7. [RESERVED]

530:20-1-8. Participating financial institutions

An employee may select any financial institution that participates in commercial direct deposits to receive his or her net pay through electronic funds transfer.

530:20-1-9. Service charge prohibited

No one shall require an employee in the direct deposit system to pay a service charge for participating that reduces the net amount of the employee's salary deposited [74:292.12(A)].

530:20-1-10. [RESERVED]

530:20-1-11. Payroll date not affected

An employee's participation in the direct deposit system shall not affect the employee's payroll date and frequency of payment unless the employee is on the supplemental payroll. If a participating employee is on supplemental payroll, the employee's payroll date may be delayed by 3 banking days.

530:20-1-12. [RESERVED]

530:20-1-13. [RESERVED]

530:20-1-14. Forms and instructions

(a) The automatic deposit transmittal shall be used by the employee to authorize:

- (1) deposit of his or her payroll warrant in a specified checking or savings account in the financial institution of his or her choice through electronic funds transfer;
- (2) the specified financial institution to make a credit entry to the specified account;
- (3) the state of Oklahoma to direct the financial institution to return any moneys that are deposited in the employee's account to which the employee is not entitled;
- (4) changes in his or her enrollment information;
- (5) termination of the direct deposit of his or her payroll warrant; and

(b) The automatic deposit transmittal form contains spaces for the employee to:

- (1) provide personal data to facilitate his or her personal banking needs;
- (2) sign and date the agreement.

530:20-1-15. [RESERVED]

530:20-1-16. Procedures for direct deposit enrollment and changes

(a) Procedures for employees under the Office of State Finance payroll accounting system. To authorize direct deposit, employees under the Office of State Finance payroll accounting system, or its successor, shall file a properly completed automatic deposit transmittal form. An employee shall file this form 30 days before the desired effective date of the first electronic funds transfer, change or termination. The employee shall attach the form to an official document from the financial institution. (For example, an employee may attach a blank check with the word "VOID" printed across it.) The official document shall show the financial institution's routing number and employee's deposit account number.

(b) Procedures for employees not under the Office of State Finance payroll accounting system. Employees of agencies not under the Office of State Finance payroll accounting system shall complete and submit automatic deposit transmittal forms according to the instructions of their employers.

(c) An instruction manual may be obtained from the Office of Personnel Management.

530:20-1-17. [RESERVED]

530:20-1-18. Warrant to replace returned direct deposit

If a financial institution returns a direct deposit, OSF (or the employer, if the employer does not pay through OSF) shall issue a clearing account voucher to the employee for the amount of the returned deposit.

SUBCHAPTER 3. OPM ADMINISTRATIVE POLICIES AND PROCEDURES

530:20-3-1. Purpose

The purposes of the rules in this Subchapter are to provide information about:

- (1) how people can get information about the direct deposit system from OPM and how they can make submissions to OPM;
- (2) OPM's policies for inspection and release of direct deposit records;
- (3) OPM's policies for handling complaints about the direct deposit system.

530:20-3-2. [RESERVED]

530:20-3-3. [RESERVED]

530:20-3-4. [RESERVED]

530:20-3-5. Communication with OPM

Section 530:1-1-12 describes how to communicate with OPM 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.

530:20-3-6. [RESERVED]

530:20-3-7. Confidential records; inspection and release of open records

(a) State employees supply personal information to the Office of Personnel Management 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 contains other general standards and procedures for inspecting and copying Office of Personnel Management records.

530:20-3-8. [RESERVED]

530:20-3-9. [RESERVED]

530:20-3-10. Complaints

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