



**STATE OF OKLAHOMA
OFFICE OF PERSONNEL MANAGEMENT**

"Working for Oklahoma"

OPM 07-05

DATE: January 29, 2007

TO: All Appointing Authorities

FROM: Oscar B. Jackson, Jr., IPMA-CP, Administrator and
Cabinet Secretary of Human Resources and Administration

A handwritten signature in black ink, appearing to read "Oscar B. Jackson, Jr.", positioned to the right of the "FROM:" field.

**SUBJECT: Public Hearing on Proposed 2007 Permanent Amendments
to the Merit Rules**

A public hearing for comments has been scheduled with regard to proposed 2007 permanent amendments to the Merit Rules. (Please see attachments.)

I hope that you or your representative(s) will be able to attend this hearing, details of which are as follows:

2:00 p.m.
Friday, February 2, 2007
OPM Test Room B-46
Jim Thorpe Building (Basement)
2101 North Lincoln Boulevard
Oklahoma City, OK 73105

*"We serve the people of Oklahoma by delivering reliable and innovative
human resource services to our partner agencies to achieve their missions."*

TITLE 530. OFFICE OF PERSONNEL MANAGEMENT

CHAPTER 10. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES

SUBCHAPTER 7. SALARY AND PAYROLL

PART 1. SALARY AND RATES OF PAY

530:10-7-24. Skill-based pay adjustments

(a) An Appointing Authority may develop skill-based pay programs upon the approval of the Administrator. Such programs shall be related to the acquisition or possession of additional skills and abilities which can be applied to the work to be performed and which will increase the value of the employee to the agency. The skills or abilities must be verifiable through certification, licensure, diploma, or some other method and must be beyond the qualifications required to perform the primary or essential functions and responsibilities of the employee's position. Requests to establish skill-based pay programs shall include a complete description of the training or education required, how it will benefit the agency, the proposed salary adjustment, and any other information that will assist in evaluating the request.

(b) Skill-based pay adjustments may be provided as a differential over and above an employee's base pay or as lump-sum payment. Lump sum skill-based pay adjustments may be awarded upon initial certification and any subsequent recertification as may be required by the certifying organization and identified in the agency's skill-based pay plan. Lump sum payments shall be limited to **10%** of an employee's annual salary, and differentials shall be limited to **10%** of an employee's monthly salary for employees paid on a monthly basis, and **10%** of an employee's biweekly salary for employees paid on a biweekly basis. Employees whose base pay is at or exceeds the maximum of the pay band shall not be eligible for a differential, but may receive a lump-sum payment. At no time shall a differential pursuant to this section cause an employee's base pay to exceed the pay band maximum. Except as provided in Subsection (c), skill-based pay adjustments shall be paid only as long as the employee occupies a position to which the skill is applicable in accordance with the agency's salary administration plan. An employee may receive multiple skill-based pay differentials so long as the combined total of all skill-based pay differentials does not exceed **15%**.

(c) Skill-based pay differentials paid to an employee prior to November 1, 2006 shall become permanent after **24** continuous months and shall be included as a part of the employee's base pay, except as provided in 530:10-7-10. Skill-based pay differentials paid to an employee on or after November 1, 2006 shall not be included in the employee's base salary and are subject to being discontinued under circumstances described in Subsection (c). [74:840-2.17]

TITLE 530. OFFICE OF PERSONNEL MANAGEMENT

CHAPTER 10. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES

SUBCHAPTER 15. TIME AND LEAVE

PART 5. MISCELLANEOUS TYPES OF LEAVE

530:10-15-43. Holidays

- (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. 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 530:10-15-47.
- (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 530:10-7-12.
- (g) For employees who are scheduled 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 scheduled to work in duties other than fire suppression duties on a holiday and for employees whose regular 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) 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 Office of Personnel Management justifying the extension. All extensions are subject to the approval of the Office of Personnel Management.