



**STATE OF OKLAHOMA
OFFICE OF PERSONNEL MANAGEMENT**

"Working for Oklahoma"

OPM 11-23

DATE: June 6, 2011

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: 2011 Human Resource (HR) Legislation

During the 2011 session, the Oklahoma Legislature passed the attached human resources-related bills that affect state agencies and employees. This list includes generally-applicable HR-related legislation. It does not include legislation regarding specific agencies. This is also not a comprehensive list of bills regarding appropriations, insurance, or retirement.

The summaries highlight the major elements of the legislation as it may impact state HR policy. For an interpretation or guidance on application of some of the identified legislation, an agency may wish to consult with its designated legal counsel. The signed bills mentioned in this memo may be accessed on the website of the Oklahoma Secretary of State at www.sos.ok.gov.

If you have questions concerning state government HR legislation, please contact Shirley A. Russell, OPM Director of Legislative Affairs, by phone at (405) 521-6293, or via e-mail at Shirley.Russell@opm.ok.gov.

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

AAA 2011 HR Legislation

Appropriations

House Bill 2170 Sears/Meyers	Makes general appropriations to the executive, legislative and judicial departments of the state for fiscal year 2012. <i>Effective July 1, 2011.</i>
House Bill 2177 Sears/Meyers	Amends section O.S. 74:840-2.28A which established a statewide voluntary buyout program for "normal" retirement eligible state employees to extend use of the reimbursement fund for eligible VOBO expenditures to no later than June 30, 2012. <i>Effective July 1, 2011.</i>

Employment Policy

House Bill 1231 Ownbey/Mazzei	Clarifies that an employee who is not in compliance with state income tax laws shall be terminated if he/she has received three notifications as a state employee, regardless of which agency the employee was employed by at the time of the first and second notices. <i>Effective August 26, 2011.</i>
House Bill 2033 Sullivan/Anderson	Modifies the Standards for Workplace Drug and Alcohol Testing Act: <ul style="list-style-type: none"> • Allows a public/private employer to request/require an employee to undergo drug or alcohol testing at any time it feels the employee may be under the influence of drugs or alcohol, including under certain circumstances; • Prohibits an employee who refuses to take a drug or alcohol test from receiving workers' compensation; and, • Modifies several provisions regarding definitions, applicant testing, and policy implementation and notification. <i>Effective November 1, 2011.</i>
Senate Bill 837 Jolley/Sullivan	Modifies language related to discriminatory practices in employment, housing, and public accommodations. The bill modifies the description of discriminatory practices by adding genetic information to the provision and it replaces statutory references to "handicap" with "disability." The bill provides exclusive remedies for individuals alleging discrimination in employment on the basis of race, color, national origin, sex, religion, creed, age, disability or genetic information. <i>Effective November 1, 2011.</i>
SJR 15 Johnson/Osborn	Proposes a constitutional amendment prohibiting the state from providing preferential treatment to or discriminating against any individual or group on the basis of race, color, sex, ethnicity or national origin in the operation of public employment, public education or public contract.

	<i>This resolution will be on the general election ballot of November 2012.</i>
Leave	
Senate Bill 666 Marlatt/ Jackson	<p>Establishes emergency leave policy for state employees who are reserve municipal police officers or reserve deputy sheriffs. Those employees who miss work in the performance of their duties in cases of emergency will not have to use any accrued leave or need to make up any time.</p> <p><i>Effective August 26, 2011.</i></p>
Agency Administration	
House Bill 1086 Murphey/Jolley	<p>Enacts the Transparency, Accountability and Innovation in Oklahoma State Government 2.0 Act of 2011. Section 5 requires the Office of State Finance to establish shared services for payroll processing in which all agencies are to participate--the Oklahoma State Government Payroll Processing One-Stop Initiative. Requires all Treasury payments be made electronically with limited exceptions. Creates state websites for government forms, geographic information, IT projects, and purchasing information.</p> <p><i>Effective August 26, 2011.</i></p>
House Bill 1207 Murphey/Sykes	<p>Section 4 requires appropriated state agencies to provide information to the Office of State Finance (OSF) listing all employees engaged in financial services, including procurement, payroll, accounts receivable and accounts payable. Furthermore, OSF is to annually report the financial services cost performance assessment for each appropriated agency. Agencies in the bottom 10% of the assessment must contract with OSF for shared financial services if the Director of OSF decides the contract will result in a savings to the agency. Section 5 modifies provisions on the employee payroll conversion banks to permit employees to accept shared leave as part of the hours accumulated towards the conversion. Use of shared leave is contingent upon approval by the appointing authority.</p> <p><i>Effective August 26, 2011.</i></p>
House Bill 1304 Derby/Jolley	<p>Enacts the Information Technology Consolidation and Coordination Act which is to be administered by the Information Services Division (ISD) of OSF and the Chief Information Officer. Following assessment, all information technology assets not integral to the agency shall be transferred to the ISD of OSF by Jan. 1, 2012. IT positions not integral to the agency shall be transferred by Feb. 2, 2012. All agencies (appropriated and non-appropriated) are required to use the following OSF services and systems:</p> <ul style="list-style-type: none"> • Data Service Center of the Divisions; • Networking services; • Communication or intercommunication systems; • Electronic mail systems; and • Data and network security systems. <p>All agencies are also required to use the following CORE programs, services, software and processes:</p>

	<ul style="list-style-type: none"> • Payroll; • Employee leave system; • Human resources; • Accounts receivable; • Accounts payable; • Purchasing system; • Budgeting system; • Enterprise Learning Management (ELM); • Budget Request system; • Asset management; and • Projects, grants and contracts, which includes federal billing. <p><i>Effective August 26, 2011.</i></p>
<p>House Bill 1601 Stiles/Jolley</p>	<p>Establishes the Oklahoma State Government Business Licensing One-Stop Program through the Office of State Finance (OSF) for real-time licensing and permitting to the public through the website "Business.ok.gov." Transfers the 2nd Century Entrepreneurship Center assets and personnel from the OK Department of Commerce to Information Services Division of OSF.</p> <p><i>Effective August 26, 2011.</i></p>
<p>Senate Bill 541 Sykes/Murphey</p>	<p>Section 3 requires appropriated state agencies to provide information to the Office of State Finance (OSF) listing all employees engaged in financial services, including procurement, payroll, accounts receivable and accounts payable. Furthermore, OSF is to annually report the financial services cost performance assessment for each appropriated agency. Agencies in the bottom 10% of the assessment must contract with OSF for shared financial services if the Director of OSF decides the contract will result in a savings to the agency. (The same language is found in Section 4 of House Bill 1207.</p> <p><i>Effective August 26, 2011.</i></p>
<p>Agency Consolidation/Reorganization</p>	
<p>House Bill 2140 Steele/Bingman</p>	<p>Enacts the State Government Administrative Process Consolidation and Reorganization Reform Act of 2011. The measure consolidates the following agencies into the Office of State Finance (OSF):</p> <ul style="list-style-type: none"> --Department of Central Services (DCS); --Office of Personnel Management (OPM); -- Oklahoma State Employees Benefits Council (EBC); and, --State and Education Employees Group Insurance Board (OSEEGIB). <p>In reference to the consolidated agencies, OSF is required by Dec. 31, 2011, to:</p> <ul style="list-style-type: none"> • Consolidate all of their administrative functions; • Demonstrate a cost reduction equal to 15% of the appropriated agencies; and, • Provide recommendations to the Legislature for the streamlining, reduction, or elimination of governance structures and statutorily –

	<p>established positions.</p> <p><i>Effective August 26, 2011.</i></p>
<p>House Bill 2172 Sears/Myers</p>	<p>Creates the position of an Oklahoma Native American Liaison within the Governor's staff and eliminates the Indian Affairs Commission.</p> <p><i>Effective August 26, 2011.</i></p>
<p>Senate Bill 763 Jolley/Sullivan</p>	<p>Creates within the Office of the Attorney General an Office of Civil Rights Enforcement to assume all functions, duties, contracts and responsibilities of the Oklahoma Human Rights Commission.</p> <p><i>Effective November 1, 2011.</i></p>
<p>Senate Bill 772 Jolley/Sullivan</p>	<p>Establishes the Business and Professional License Facilitation Task Force to study centralized governmental models for facilitation of business and professional licenses and applications and requires submission of a report to the legislature by December 1, 2011.</p> <p><i>Effective August 26, 2011.</i></p>