

HCM 19-13

Date: Oct. 18, 2019

Merit Rules

The 2019 permanent amendments to the Merit Rules went into effect on September 13, 2019. A summary of the amendments is as follows:

- 1. 260:25-7-11. Continuous Service Incentive Plan**
 - a. Citation correction
- 2. 260:25-7-12. Payment of overtime**
 - a. Clarifies that hours worked does not include any form or paid or unpaid leave taken by the employee for purposes of overtime and states that term "hours worked" must be hours where work was actually performed.
- 3. 260:25-9-9-. Disqualifications**
 - a. Clarifies that the Administrator may remove a person's from the register without the Appointing Authority requesting such action
 - b. Changes the time period from two (2) years to up to (2) two years
- 4. 260:25-11-31. Permanent Status**
 - a. Corrects citation by removing reference to rule no longer in effect
- 5. 260:25-11-36. Leave of absence for probationary employee: Adjustment of probationary period**
 - a. Changes the adjustment of the probationary period to be triggered if an employee is absent for thirty (30) non-continuous working days
 - b. Changes continuous to non-continuous and calendar days to working days
- 6. 260:25-11-55. Trial period and probationary period for promoted employees**
 - a. Changes the adjustment of the trial period to be triggered if an employee is absent for thirty (30) non-continuous working days
 - b. Changes continuous to non-continuous and calendar days to working days
 - c. Allows the Appointing Authority to use their discretion in adjusting the trial period
- 7. 260:25-11-110. Detail to special duty**
 - a. Clarifies that detail to special duty is not required when an employee is temporarily performing duties due to a return to work program as a result of a work-related injury
- 8. 260:25-15-52. Leave sharing**
 - a. Rules were drafted to as a result of legislative changes to 74 O.S. § 840-2.23
 - b. Requires that employee must exhaust all leave options within employing entity in order to receive shared leave from outside entities and that employee must have documentation signed by HR representative or agency designee to support that.

- c. Authorizes shared leave liaison to conduct trainings, provide information to state agencies, and work with state agencies to obtain shared leave.
- d. Provides intake process for shared leave liaison to follow in order to allow employee to receive shared leave from entities other than the employing agency and the Leave of Last Resort Bank.
- e. Authorizes shared leave liaison to develop procedure to crediting deposits and withdrawals from the Leave of Last Resort Bank and to develop and perform all audit functions necessary to administer the Bank.
- f. Prescribes the requirements for electing to deposit annual or sick leave into the Bank. Requires that the employee must acknowledge the deposit in writing and that the leave could be used for retirement credit or reinstated.
- g. Authorizes the Administrator to develop forms to be used by state entities.
- h. Authorizes the Administrator to develop policies and procedures.

9. 260:25-17-91. Definitions

- a. Adds the definition of one hour of training. One hour of training means one hour of learner interaction and authorizes the Administrator to develop a standard for assessing and assigning hours to learner content.
- b. Adds the definition of online learning format. Online learning format means any live or self-paced learning content delivered
- c. Amends twelve hours of training to no longer require two training days that include at least six hours of instruction a day. Requirement is simplified to twelve hours of learner interaction with no more than six hours spent on online learning formats. No longer requires the twelve hours to be solely spent in in-person training.
- d. Amends twenty-four hours of training to no longer require four training days that include at least six hours of instruction a day. Requirement is simplified to twenty-four hours of learner interaction with no more than twelve hours spent on online learning formats. No longer requires the twenty-four hours to be solely spent in-person training.

10. 260:25-17-110. Purpose

- a. Citation correction

11. 260:25-17-111. Definitions

- a. Adds the definition of training section.
- b. Training section means the group of participants who compete the certified public manager program during the same time period.

12. 260:25-17-112. Program description

- a. Prescribes that the nomination process and criteria shall be prescribed by the individual agency.
- b. Requires the agency to nominate an employee for participate in the program during designated enrollment periods and within set deadlines.
- c. Prescribes that the Administrator to enroll employee in the first available training section.

13. 260:25-17-113. Program requirements for candidates

- a. Removes active and inactive status and attendant requirements
- 14. 260:25-17-114. Program requirements for nomination agency or organization**
 - a. Adds requirement that agency review and approve employee absences for scheduled cohort dates and allow managers to participate in the employee's involvement in the program.
- 15. 260:25-17-115. Program fees**
 - a. Citation correction
- 16. 260:25-17-130. Purpose**
 - a. Citation correction
- 17. 260:25-17-132. Personnel professionals training requirements**
 - a. Removes the requirement that the initial training be a minimum of four days and the annual training be a minimum of eight hours and instead allows the Administrator to determine the training.
 - b. Allows personnel professionals to complete certain certifications in lieu of the training.
- 18. 260:25-17-138. Personnel professionals training fees**
 - a. Citation correction

[Link to the final promulgated permanent amendments to the Merit Rules.](#)

State Employee Suggestion Programs

The permanent rules for the State Employee Suggestion Programs went into effect September 13, 2019.

[Link to the final permanent rules for the State Employee Suggestion Programs.](#)