

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 25. PERSONNEL ADMINISTRATION RULES**

SUBCHAPTER 11. EMPLOYEE ACTIONS

PART 14. AGENCY TRANSFERS

260:25-11-140. Purpose

The state of Oklahoma is one employer and therefore, employees moving from one agency to another should be seamless and ensure continuous access to benefits, time accrual and other rights as outlined in the Administrative Rules. The rules below outline how this should be done in Workday, the State of Oklahoma human resources system, and how to handle specific circumstances.

260:25-11-141. Definitions

The following words and terms, when used in this Part, shall have the following meaning:

"Benefits service date" means the field in Workday that determines when an employee is eligible for benefits. The field also calculates cumulated service for the purposes of longevity and retirement.

"Effective date" means the date a transfer or employment with an agency begins according to the Workday state. The effective date should be the same as the start date.

"External" means anyone not currently employed with the State of Oklahoma.

"Interagency transfer" means an action in which an employee leaves employment with one agency while continuously employed with the State of Oklahoma.

"Internal" means anyone currently employed with the State of Oklahoma.

"Leaving agency" means the agency at which the employee is no longer employed.

"Receiving agency" means the agency which the employee has applied and received an offer letter of employment.

"Resignation date" means the date the employee agrees to end their employment with an agency.

"Start date" means the official first day for a new employee.

"Termination" means using the termination business process in Workday to end an employee's state service.

260:25-11-142. Applying for internal State of Oklahoma jobs

All employees shall be notified by their agency's human resources department that if they want to apply for a State of Oklahoma job while currently a State of Oklahoma employee, they must use the internal application process and not the external, public-facing website.

260:25-11-143. Notifying agencies of the transfer

Employees are encouraged to notify their former agency if they intend to transfer to a new agency within thirty (30) days of their resignation date. The receiving agency will be notified via the recruiting process if an applicant is already a State of Oklahoma employee.

260:25-11-144. Timing a transfer

(a) An employee's resignation date should be the last day of employment with the leaving agency. The agency must initiate the transfer process within Workday with an effective date of the next date, regardless of holiday or weekend.

(b) As of that effective date, the receiving agency is now fully responsible for that employee in terms of human resources, payroll, benefits and time tracking. This includes payout of any

holidays that fall prior to the employee's first day unless they are placed in a transitional status as set forth in 260:25-11-146.

(c) The human resources staff at both the leaving agency and the receiving agency should communicate with one another to coordinate the transfer of an employee. This practice will ensure the transfer date is beneficial for both agencies.

260:25-11-145. Employee time off between agencies

(a) If an employee chooses to take any amount of time between working at the leaving agency and starting at the receiving agency, they are required to adhere to all state policies surrounding annual leave and leave without pay status.

(b) The leaving agency may agree to allow the employee to utilize his or her leave prior to his or her resignation date.

(c) The receiving agency may require the employee to use leave for their time off that occurs during their regularly scheduled hours after the transfer is complete. (i.e., if an employee leaves an agency on Friday, they will not use leave to start on Monday, even though the effective date will be on that Saturday).

(d) If an employee has no leave, they may be placed in a new transitional period, using the Agency Transition time code in Workday. This will work the same as leave without pay; however, this status will be indicated as a transition to avoid any negative assumptions.

260:25-11-146. Transitional status

Employees can be placed into a transitional status for no more than thirty (30) days. This status follows the rules indicated in 260:25-15-10 regarding leave without pay.

260:25-11-147. Employee hire post termination within thirty (30) days

If an employee is terminated at an agency but receives an offer from another agency within thirty (30) days, the employee will avoid a break in service. However, the new agency cannot backdate the employee's employment status and therefore will need to consider the employee a re-hire in Workday@OK. However, the system is designed to recognize a less-than-30-day's break and will take the appropriate steps to maintain benefits.

SUBCHAPTER 13. REDUCTION-IN-FORCE

PART. GENERAL PROVISIONS FOR REDUCTION-IN-FORCE

260:25-13-3. Notice of reduction-in-force and time requirements [REVOKED]

~~(a) **Cabinet Secretary approval.** Prior to the posting of any reduction in force notice, the notice shall be approved by the cabinet secretary for the agency conducting the reduction in force. [74:840-2.27C] If there is no incumbent cabinet secretary for the agency or if the appointing authority is governed by an elected official, the approval requirement shall not apply.~~

~~(b) **Notice.** At least 60 days before the scheduled beginning of reduction in force separations or as otherwise provided by law, the Appointing Authority shall post a notice in each office affected by the proposed reduction in force that a reduction in force will be conducted in accordance with the Oklahoma Personnel Act and Merit Rules. Such notice shall be posted for 5 days. The Appointing Authority shall provide a copy of the notice to the Administrator. A reduction in force shall not be used as a disciplinary action. [74:840-2.27C(A)]~~

~~(c) **Implementation plan.** The reduction in force implementation plan and subsequent personnel transactions directly related to the reduction in force shall be in compliance with rules adopted by the Administrator. The reduction in force implementation plan, including the description of and reasons for displacement limits and protections from displacement actions, and severance benefits that will be offered shall be posted in each office affected by the plan~~

~~within 5 business days after posting of the reduction in force notice. At the discretion of the Appointing Authority, the reduction in force implementation plan may be posted concurrently with the reduction in force notice. The reduction in force implementation plan shall:~~

- ~~(1) Specify the position or positions to be abolished within specified units, divisions, facilities, agency wide or any parts thereof, as determined by the Appointing Authority;~~
- ~~(2) Provide for retention of affected employees based on type of appointment;~~
- ~~(3) Require separation of probationary classified affected employees in affected job family levels, except those affected employees in probationary status after reinstatement from permanent classified status without a break in service, prior to the separation of any permanent classified affected employee in an affected job family level;~~
- ~~(4) Provide for the retention of permanent classified affected employees in job family levels and those affected employees in probationary status after reinstatement, based on years of service;~~
- ~~(5) Provide for exercise of displacement opportunities by permanent classified affected employees and those affected employees in probationary status after reinstatement if any displacement opportunities exist; and~~
- ~~(6) Provide for outplacement assistance and employment counseling from the Oklahoma Employment Security Commission and any other outplacement assistance and employment counseling that may be available. [74:840-2.27C(B)]~~

~~(d) Review of fiscal components. The Director of the Office of Management and Enterprise Services shall, within 5 business days of receipt, review the fiscal components of the reduction in force implementation plan and reject any plan that does not meet the requirements of Section 840-2.27C(D) of Title 74 of the Oklahoma Statutes.~~

~~(e) Notice to State Employee Retirement Systems. Within 30 days after the approval of a reduction in force implementation plan by the Office of Management and Enterprise Services, the Appointing Authority shall provide written notice of the approved plan to the Oklahoma Public Employees Retirement System or the Oklahoma Teachers' Retirement System, or a combination thereof to facilitate the possible purchase of termination credit if the affected employee(s) is a member of the aforementioned retirement system.~~

SUBCHAPTER 15. TIME AND LEAVE

PART 5. MISCELLANEOUS TYPES OF LEAVE

260:25-15-44. Military leave of absence and restoration to position

(a) Military leave of absence and right to restoration to former position shall be granted in accordance with Section 209 of Title 44, Sections 25.4, 25.5 and 25.7 of Title 51, and Section 48 of Title 72 of the Oklahoma Statutes; the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C., 4301 et seq.); and such rights and privileges as these laws provide.

(b) Military leave shall be granted to employees who are a member of any component of the Armed Forces of the United States or the Reserve Components, to include the Army & Air National Guard and the Army, Navy, Air Force, Marine Corps & Coast Guard Reserves, when ordered by proper authority to active or inactive duty (includes weekend drills and training exercises) or service. Such employees are entitled to leave of absence without loss of status or seniority.

(c) The National Guard and Reserves Component - The first 30 regularly scheduled work days of military leave of absence during any federal fiscal year (October 1 to September 30) are with pay. If the period of military status extends beyond 30 days, the employee's absence for the period beyond 30 days is governed by applicable leave rules. Accrued compensatory leave, holiday leave, annual leave, or leave without pay may be requested to cover this period of time. During the remainder of such leave of absence the Appointing Authority ~~may~~ shall elect to pay

the employee an amount equal to the difference between his or her regular state pay and his or her military pay, except that the employee shall receive the difference between his or her full regular pay and his or her military pay when ordered by proper authority to active or inactive service ~~during the period that Operation Enduring Freedom is in effect~~. The military pay could be verified through a Leave and Earnings Statement provided by the Military.

(d) An employee who is requested to report for physical examination in connection with military service is not considered absent from duty during the time required for the examination and travel.

(e) An employee must notify the immediate supervisor of the requirement for military leave and provide as much advance notice as possible.

(f) A supervisor does not have the right to request an employee or the federal government to reschedule military exercises for the convenience of the agency.

SUBCHAPTER 25. OKLAHOMA STATE EMPLOYEES' DIRECT DEPOSIT RULES

PART 1. GENERAL PROVISIONS

260:25-25-6. Responsibility of employers

(a) All employers shall offer direct deposit to any eligible employees [74:292.12(C)].

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

(c) Employers receiving individual "earning statements" 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 OMES 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~~ a direct deposit authorization form like the form described in Section 260:25-25-14 ~~and approved by HCM~~. 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 260:25-25-14.

260:25-25-11. 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.~~

260:25-25-14. Forms and instructions

(a) The direct deposit authorization ~~form shall~~ may 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 direct deposit authorization 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.

260:25-25-16. Procedures for direct deposit enrollment and changes

(a) Procedures for employees under the Office of Management and Enterprise Services payroll accounting system. To authorize direct deposit, employees under the Office of Management and Enterprise Services payroll accounting system, or its successor, ~~shall file a properly completed automatic deposit transmittal form~~ shall enter the specific financial institution and checking or savings account information directly into the system. Employers may make exceptions to employee direct entry into the system. A completed direct deposit authorization form shall then be provided to the employer for entry into the system. 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 FedACH routing number and employee's deposit account number. An employee shall directly enter banking information into the system or provide the completed form to the employer prior to the employer's deadline for the desired effective date of the first electronic funds transfer, change or termination.

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

260:25-25-18. Warrant to replace returned direct deposit

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