

**REVISED: AAA Memo – HCM 2023-02**

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**Date: June 30, 2023**

To: All Appointing Authorities

From: Natasha Riley, Interim HCM Administrator

Re: Summary of recent legislation affecting state employees

The following bills affecting the state workforce have passed through the Legislature and will become law upon their respective effective dates. An overview for each bill is provided below. Please feel free to contact Natasha Riley at [Natasha.Riley@omes.ok.gov](mailto:Natasha.Riley@omes.ok.gov) if you have questions.

**HB 1027x**

HB 1027 increases the accumulation limits on annual leave for state employees.

- Effective date: July 1, 2023.
- Increases the amount of annual leave state employees can accumulate.
  - For agencies on a rolling or non-rolling plan the accumulation limits will be:
    - An employee with 0-5 years can accrue up to 640 hours.
    - An employee with 5-10 years can accrue up to 784 hours (18 days or 144 hrs + 640 hrs).
    - An employee with 10-20 years can accrue up to 800 hours (20 days or 160 hrs + 640 hrs).
    - An employee with 20+ years can accrue up to 840 hours (25 days or 200 hrs + 640 hrs).
- Increases the maximum amount of annual leave that state employees can be paid for from 480 hours to 640 hours.
- Allows time worked as an independent contractor receiving state funds as compensation or while an individual was employed with the judicial branch to count towards the years of service in determining the employee's longevity payment amount and annual leave accrual rates and accumulation limits.
  - The individual does not receive the longevity payment while working as an independent contractor or for the judicial branch but does get to count that time period as years of service.
  - The payment is still only made to state employees.

**HCM has received many questions regarding the application of HB 1027. HCM is currently in the process of developing guidance for the questions and will issue another memo addressing frequently asked questions soon.**

**HB 1409**

HB 1409 recreated the Oversight Committee for State Employee Charitable Contributions until July 1, 2028.

Effective date: April 26, 2023.

## [HB 1794](#)

HB 1794 amends the Civil Service and Human Capital Modernization Act.

- Effective date: Nov. 1, 2023.
- Gives administrative law judges reviewing complaints filed with the Civil Service Division the discretion to allow additional documentation or witnesses regarding the disciplinary action.
- Adds the District Attorneys Council to the organizations exempt from the Civil Service and Human Capital Modernization Act.
- Requires an agency's employees designated as executive management (not more than 5% of an agency's employees) be identified as such in the HRIS system maintained by OMES Human Capital Management (Workday@OK). Instructions for updating Workday@OK profiles can be found [here](#).
- Requires OMES Human Capital Management to collaborate with executive branch agencies to establish and define statewide minimum standards for human resources business processes.
- Requires OMES Human Capital Management:
  - To establish and maintain a statewide job catalog and pay structure for executive branch jobs.
  - To establish policies and procedures for a market-based pay system, pay for performance system, and a dispute resolution process for issues that are not covered by the Civil Service Division.

## [HB 2026](#)

HB 2026 amends the voluntary payroll deduction program.

- Effective date: Nov. 1, 2023.
- Requires OMES to provide an association representing state employees with a monthly reconciliation report with information related to opted-in members.

## [SB 16x](#)

SB 16x amends the Oklahoma Personnel Act.

- Effective date: Nov. 1, 2023.
- Creates 74 O.S. Section 840-2.20D which allows for paid maternity leave.
  - State employees can receive six (6) weeks of paid maternity leave.
  - The paid maternity is following the birth or adoption of the employee's child.
  - The employee must:
    - Be a full-time employee of this state.
    - Been employed by the state agency at least two (2) years prior to the request for leave.
  - Paid leave is in addition to sick leave.
  - Employee receives full salary while on the maternity leave.
  - For purposes of determining seniority, pay or pay advancement, and performance awards, and for the receipt of any benefit that may be affected by maternity leave, the service of the employee shall be considered uninterrupted by the maternity leave.
  - OMES will promulgate rules regarding this amendment and will provide more

information at that time.

- Amends 74 O.S. Section 840-2.20.
  - Requires all annual leave that accrued and expired during the emergency declaration in response to COVID-19 to have been reinstated as of May 7, 2021.