

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

SUBCHAPTER 7. SALARY AND PAYROLL

PART 1. SALARY AND RATE OF PAY

260:25-7-11. Continuous Service Incentive Plan

(a) Appointing Authorities may implement a pay incentive plan [~~74:840-1.6A(11)~~][74:840-1.6A(10)] intended to promote continuous service within the first two years of state employment. The plan shall be limited to job families for which there are critical recruitment and retention problems as identified by the Appointing Authority.

(b) The pay incentive shall consist of scheduled periodic payments over the employee's first two (2) years of continuous service in the targeted job families, not to exceed a total of \$2,500 in any ~~12-month~~twelve (12) month period. Payments may not be made prospectively or prorated. No payment shall be made under the plan until the employee has completed at least six (6) months of continuous service in the targeted job family.

(c) At the discretion of the Appointing Authority, the following persons filling positions in the targeted job families may be included in the plan:

- (1) Persons not currently employed in state government;
- (2) Current state employees during their first two (2) years of continuous state employment in the targeted job family; and
- (3) Former state employees following a break in service of at least ~~30~~thirty (30) days.

(d) Appointing Authorities who choose to implement the pay incentive shall submit a written plan to the Administrator of the Human Capital Management Division and the Director of the Office of Management and Enterprise Services prior to implementation. The plan shall identify the job families to which the pay incentive will be applicable and shall document the critical recruitment and retention problems and the agency's rationale for the plan. The plan may provide for different pay incentives for different job families at the discretion of the Appointing Authority. The plan shall also identify the criteria for eligibility and shall include information concerning the funding of the pay incentive from the agency's existing budget. The plan shall be signed by the Appointing Authority, and this signature requirement may not be delegated. No payment shall be made under this Section until the plan has been reviewed and accepted by the Administrator.

260:25-7-12. Payment of overtime

(a) An Appointing Authority shall neither require nor allow FLSA Non-Exempt employees to work in excess of ~~40~~forty (40) hours a week without establishing and implementing a comprehensive policy for compensation. Such policy shall be in compliance with the Fair Labor Standards Act (29 U.S.C. 201 et seq.). The policy shall be made available by the Appointing Authority to interested persons upon request and the Appointing Authority shall so notify employees. Copies of such policy shall be forwarded to the Human Capital Management Division. This section is not a comprehensive listing of the provisions of the Fair Labor Standards Act (29 U.S.C, 201 et seq.) and regulations promulgated thereunder, and is not intended to conflict with either the Act or the regulations.

(b) FLSA Non-Exempt (as defined by the Fair Labor Standards Act) employees shall be paid 1 1/2 times their regular hourly rate for each overtime hour worked. For the purposes of this rule, "Hours worked" shall not include any form of paid or unpaid leave used by an employee in lieu of the actual performance of work.

(c) The Executive Branch of the State of Oklahoma is one employer for FLSA purposes; therefore, concurrent employment in more than one agency is considered joint employment.

Employees working in one or more nonexempt positions in Executive Branch agencies and who work more than ~~40~~forty (40) total hours per week shall be eligible for overtime. Employees shall be required to notify their current agency upon accepting employment with another Executive Branch agency. It will be the responsibility of all agencies involved to insure that all FLSA requirements associated with multiple agency appointments are met.

(d) Compensatory time in lieu of overtime payment at the rate of time and one-half may be given to FLSA Non-Exempt employees (as defined by the Fair Labor Standards Act) subject to the following conditions:

(1) Prior to the performance of overtime work, the Appointing Authority and the employee shall agree in writing that the employee may be required to take compensatory time in lieu of overtime pay. A written agreement is not required with respect to employees hired prior to April 15, 1986, if the employer had a regular practice in effect on April 15, 1986, of granting compensatory time off in lieu of overtime pay (29 U.S.C. 553.23).

(2) An employee shall be permitted to use accrued compensatory time within 180 days following the pay period in which it was accrued. The balance of any unused compensatory time earned but not taken during this time period shall be paid to the employee. An Appointing Authority may grant an extension of this time period for taking compensatory time off up to an additional 180 days. Agencies shall not be allowed to extend the initial 180-day time period for employees working in an institutional setting as defined by 74:840-2.15(D) [74:840-2.15(C)].

(3) The maximum compensatory time which may be accrued by a FLSA Non- Exempt employee shall be 480 hours for those employees engaged in a public safety or firefighting activity and 240 hours for all other FLSA Non-Exempt employees.

(4) An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation for any additional overtime hours worked at the rate of 1 1/2 times their regular hourly rate of pay for each overtime hour worked.

(5) Payment for accrued compensatory time upon termination of employment with the agency shall be calculated at the average regular rate of pay for the final ~~3~~three (3) years of employment, or the final regular rate received by the employee, whichever is the higher.

(6) Overtime and compensatory time is accrued by work period, as defined by the FLSA.

(7) Compensatory time shall not be transferred from one agency to another agency.

(8) An Appointing Authority shall approve an employee's request to take compensatory time off on a particular day, unless the employee's taking compensatory time off on that day disrupts agency operations or endangers public health, safety, or property.

(9) Accrued compensatory time shall be exhausted before the granting of any annual leave for a non- exempt employee except when the employee may lose accrued leave under 260:25-15-10 and 260:2515-11(b) (5).

(10) Adjustments in scheduled work time may be made on an hour-for-hour basis within the work period.

(e) Appointing Authorities may provide compensatory time off to FLSA Exempt (as defined by the Fair Labor Standards Act) employees with the following stipulations:

(1) The compensatory time off shall be taken within time periods and policy outlined in 260:25-7-12(d).

(2) Unused compensatory time shall be taken off the books if not taken by the end of the time periods and policy outlined in 260:25-7-12(d) (2).

~~(2)~~(3) Compensatory time shall only be given on an hour-for-hour basis, ~~4~~one (1) hour off for each hour worked overtime. The maximum compensatory time which may be accrued by an FLSA exempt employee shall be the same as that outlined in 260:25-7-12(d) (3).

~~(3)~~(4) Payments shall not be made for compensatory time accrued by an employee on FLSA Exempt status for any reason, except as provided for in (f) of this Section.

(f) After submitting written notice to the Human Capital Management Division, an Appointing Authority may provide overtime payments to persons in FLSA Exempt classes based on a prevailing market condition.

SUBCHAPTER 9. RECRUITMENT AND SELECTION

PART 1. GENERAL PROVISIONS

260:25-9-9. Disqualifications

(a) Except as provided in 260:25-9-131, an Appointing Authority or the Administrator may permanently or temporarily refuse to certify, disqualify or remove a person's name from a register, ~~and additionally an Appointing Authority may request that the Administrator remove a person's name from all registers for a period of two years from the date of an incident as described in (a)(4), (a)(5), (a)(8), (a)(11), and (a)14,~~ if:

- (1) the person lacks any of the education, experience, or certification requirements for the job.
- (2) the person lacks any other requirement established by Oklahoma statute or federal law for the job.
- (3) the person fails any part of an Appointing Authority's background investigation.
- (4) the person made a false statement of material fact in an application for employment or otherwise misrepresented himself or herself during the application process.
- (5) the person has used or attempted to use political pressure or bribery to secure an advantage in the examination or appointment process.
- (6) even with reasonable accommodation, the person is unable to perform the duties of the job or position(s) or is unable to do so without risk to himself or herself, the agency, or others, beyond that risk normally associated with such duties.
- (7) the person has obtained information regarding examinations to which an applicant is not entitled, or the person has taken part in the development, administration, or correction of the examinations.
- (8) the person is in possession of unauthorized materials or electronic device during an examination.
- (9) the person has failed to submit an application correctly or within the prescribed time limits.
- (10) the person has failed to maintain a record of current address at the Human Capital Management Division evidenced by the return of a letter by the U.S. Post Office, if properly addressed to the last address of record.
- (11) the person has, within two (2) years prior to the date of certification, been discharged for delinquency, misconduct, absenteeism, inability to perform the same type job for which applying or other disciplinary reason or has resigned in lieu of such dismissal from any public or private employer. The Appointing Authority may extend the ~~2-year~~two (2) year restriction for good cause.
- (12) the agency has exercised a selective qualification as established in 260:25-9-74.
- (13) an individual is ineligible for employment due to citizenship or residence requirements as prescribed in 260:25-9-75.
- (14) the person fails to reply to a request for an interview or fails to appear for a scheduled interview.

(b) The Administrator may remove or an Appointing Authority may request that the Administrator remove a person's name from all registers for a period of up to two (2) years from the date of an incident as described in (a)(4), (a)(5), (a)(8), (a)(11), and (a)14.

(b)(c) Action initiated by an Appointing Authority under (a) (1), (a) (7), and (a) (9) of this Section shall be subject to the approval of the Administrator. Any person who is disqualified shall be notified electronically. Applicants who have not provided an e-mail address shall be notified in writing of this action and the reason for it. At the appropriate time, the Administrator shall notify an individual of the right to appeal. The party initiating the action, whether the Administrator or an Appointing Authority, shall be independently responsible for justifying the action, for both the nature and accuracy of the supporting information, and for the retention of that information pending appeal of the action.

SUBCHAPTER 11. EMPLOYEE ACTIONS

PART 3. PROBATIONARY EMPLOYEES

260:25-11-31. Permanent Status

Permanent status in the classified service shall not be granted until the probationary period has been successfully completed. Such status shall begin at the end of the final working day of the probationary period [74:840-4.13(D)] except as otherwise provided in the following Sections: 260:25-11-30; ~~260:25-11-34~~; 260:25-11-36; and 260:25-11-32.

260:25-11-36. Leave of absence for probationary employee: Adjustment of probationary period

(a) Upon written request, a probationary employee may be granted leave of absence without pay from the agency in accordance with 260:25-15-47, Leave of absence without pay, or 260:25-15-49, Leave because of absence due to job related illness or injury.

(b) If a probationary employee is absent from work in excess of ~~30~~thirty (30) continuous non-continuous calendar working days, the probationary period shall be adjusted by the number of ~~calendar~~calendar working days the probationary employee was absent. The employee shall be notified at the earliest date that the probationary period is to be adjusted. Upon the employee's return to work, notification of such adjustment shall be provided to the employee and the Human Capital Management Division and shall include the adjusted date of the final working day of the probationary period.

PART 5. PROMOTIONS

260:25-11-55. Trial period and probationary period for promoted employees

(a) Trial period after intra-agency promotions.

(1) When a classified employee is promoted intra-agency, the employee shall serve a 6 month trial period in the job to which the employee has been promoted unless the Appointing Authority waives the trial period according to the provisions of this Section. The Appointing Authority may waive the trial period at any time by giving the employee written notice of the cancellation. Waiver of the trial period makes the promotion final.

(2) If an employee does not prove to be satisfactory in the new job during the trial period, the employee shall be reinstated to the former position or another in the same job family level, at the salary the employee would have received if the promotion had not taken place. However, the reasons for denying the employee permanent status in the promotional position shall be submitted in writing to the individual before the end of the trial period and a copy filed with the Human Capital Management Division. The employee shall not have the right to appeal [74:840-4.12].

- (3) The promotion shall automatically become permanent at the end of the final working day of the trial period.
- (4) The Appointing Authority may establish a written policy describing any agency standard for waiving the trial period and the reasons for the standard.
- (b) **Trial period after interagency promotion.**
- (1) An employee who is promoted interagency may, at the discretion of the receiving Appointing Authority, be required to serve a ~~6~~six (6) month trial period in the new job only if the receiving agency has the job family from which the employee was promoted in its classification plan.
- (2) The trial period may be canceled at any time, making the promotion final. Before the effective date of the promotion, the employee shall be informed in writing by the Appointing Authority whether the employee will be required to serve a trial period before such promotion becomes final. The promotion shall be permanent if the Appointing Authority fails to notify the employee in writing before the effective date of the promotion that a trial period is required under this paragraph. If an employee does not prove to be satisfactory in the new job during the trial period, the employee shall be reinstated to a position in the former job family in the same pay band for which the employee is qualified with the receiving agency, at the salary the employee would have received if the promotion had not taken place. However, the reasons for denying the employee permanent status in the promotional position shall be submitted in writing to the individual before the end of the trial period and a copy filed with the Human Capital Management Division. The promotion shall automatically become permanent at the end of the final working day of the trial period.
- (c) If an employee on a trial period is absent from work in excess of ~~30~~thirty (30) ~~continuous non-continuous calendar~~working days the trial period shall ~~may~~ be adjusted by the number of ~~calendar~~working days the employee was absent. The employee shall be notified at the earliest date that the trial period is to be adjusted. Upon the employee's return to work notification of such adjustment shall be provided to the employee and the Human Capital Management Division and shall include the adjusted date of the final working day of the trial period.

PART 11. OTHER TRANSACTIONS

260:25-11-110. Detail to special duty

- (a) When the services of a permanent classified employee are temporarily needed in a job family or level other than the one to which the incumbent is regularly assigned the employee may be detailed to special duty, at the discretion of the Appointing Authority, to perform the duties of the job to which temporarily assigned.
- (b) A detail to special duty in no way shall affect the status, title or job family held before the detail.
- (c) An employee shall not be placed on detail to special duty more than ~~42~~twelve (12) months in any ~~36~~thirty-six (36) month period.
- (d) Pay upon detail to special duty is covered in 260:25-7-17.
- (e) Detail to special duty is not required when an employee is temporarily assigned duties of another job for a period of less than ~~60~~sixty (60) days in any ~~42-month~~twelve (12) month period; ~~or~~ Detail to special duty is also not required when an employee is temporarily performing such duties as part of a return to work program as a result of a work-related illness or injury, regardless of whether that period exceeds ~~60~~sixty (60) days in any ~~42-month~~twelve (12) month period. Such temporary placement related to a return to work program shall not exceed ~~6~~six (6) months.

SUBCHAPTER 15. TIME AND LEAVE

PART 5. MISCELLANEOUS TYPES OF LEAVE

260:25-15-52. Leave sharing

~~Section 840-2.23 of Title 75 of the Oklahoma Statutes establishes eligibility, standards and procedures for state employees to share annual and sick leave.~~

~~(a) **Purpose.** The purpose of this Section is to interpret Section 840-2.23 of Title 74 of the Oklahoma Statutes (Section 840-2.23). Section 840-2.23 establishes eligibility, standards and procedures for state employees to share annual and sick leave.~~

~~(b) **Eligibility to receive donated annual or sick leave from state entities outside the state entity of the employee.** Before an employee will be permitted to receive donated annual and/or sick leave from a state entity that is outside the state entity for which the employee is employed, such employee must have exhausted all leave options within the state entity of the employee. Such exhaustion efforts must be evidenced by documentation showing such employee requested to receive shared leave from employees within the employing agency and was unable to receive shared leave either because no leave was available to be donated or no other employee would donate to such employee. A human resources representative or agency designee within the employing agency shall certify that the request process occurred. The Appointing Authority shall approve all submitted documentation.~~

~~(c) **Shared leave liaison authority and obligations.** The shared leave liaison shall have the authority to conduct trainings and disseminate informational publications to all state entities regarding the requirements of Section 840-2.23 and state entities' obligation to comply with Section 840-2.23. The shared leave liaison shall also have the authority to disseminate informational publications to and advise all state employees of the rights afforded to state employees under Section 840-2.23.~~

~~(d) **Shared leave liaison outreach efforts.** The shared leave liaison shall work with the requesting employee's employing agency and outside state entities, if necessary, in order to obtain shared leave hours.~~

~~(e) **Shared leave liaison intake process.** The shared leave liaison shall ensure that the requesting employee meets the eligibility criteria set forth in Section 840-2.23 in order to receive shared leave from outside state entities and the Leave of Last Resort Bank. The shared leave liaison shall verify that each requesting employee is eligible. The shared leave liaison shall review the documentation required by (b) of this Section and verify that the requesting employee has exhausted all sources of shared leave both within his or her employing entity and outside state entities. All verifications shall be maintained as a record of the Administrator.~~

~~(f) **Coordinating leave requested from the Leave of Last Resort Bank.** The shared leave liaison shall be responsible for maintaining records of the amount of leave in the Leave of Last Resort Bank. The shared leave liaison shall develop a procedure for crediting deposits and debiting withdrawals from the Bank. The shared leave liaison shall develop and perform all audit functions necessary to administer the Bank.~~

~~(g) **Election of annual or sick leave to be deposited into the Leave of Last Resort Bank.** An employee must acknowledge that his or her annual and/ or sick leave will be deposited into the Leave of Last Resort Bank. Such acknowledgment shall be in writing and in the form prescribed by the Administrator. The acknowledgement must state the employee understands that he or she will receive no monetary compensation for the donation of annual and/ or sick leave, the employee understands any sick leave available for donation could be applied as a credit for years of service under the applicable retirement system or reinstated in accordance with Section 840-2.20(A)(6) of Title 74, and the employee affirms that such donation is given voluntarily. The acknowledgement may include other such information as deemed necessary by the Administrator.~~

(h) Development of forms. The Administrator shall have the authority to develop forms to be used by all state entities to document the requirements of this Section.

(i) Development of policies and procedures. The Administrator shall have the authority to develop policies and procedures regarding the administration of the Leave of Last Resort Bank and the requirements of Section 840-2.23 of Title 74 and this Section. The Administrator shall publish all policies and procedures on the Office of Management and Enterprise Services website.

SUBCHAPTER 17. PERFORMANCE EVALUATION AND CAREER ENHANCEMENT PROGRAMS

PART 9. MANDATORY SUPERVISORY TRAINING

260:25-17-91. Definitions

The following words and terms, when used in this Part shall have the following meaning, unless the context clearly indicates otherwise:

"One hour of training" means one (1) hour of learner interaction with the content of the learning activity, which includes classroom, self-paced instruction, assignments, or assessments that support the stated learning outcome. The Administrator shall develop a standard for assessing and assigning hours to learning content.

"Online learning format" means any live or self-paced learning content delivered remotely using online technology.

"Supervisory training" means courses or training related to the effective performance of an agency manager or supervisor [74:840-3.1].

"Twelve hours of training" means ~~the equivalent of 2 training days that include at least 6 hours of instruction a day~~ twelve (12) hours of learner interaction with no more than six (6) hours spent on online learning formats. Twelve hours (12) of training are also equivalent to 1.2 continuing education units (CEUs).

"Twenty-four hours of training" means ~~the equivalent of 4 training days that include at least 6 hours of instruction a day~~ twenty-four (24) hours of learner interaction with no more than twelve (12) hours spent on online learning formats. Twenty-four (24) hours of training are also equivalent to 2.4 continuing education units (CEUs).

PART 11. CERTIFIED PUBLIC MANAGER PROGRAM

260:25-17-110. Purpose

(a) The rules in this Part establish policies and procedures to implement the Certified Public Manager Program® in accordance with ~~Section 840-1.6A(10)~~ Section 840-1.6A(9) of Title 74 of the Oklahoma Statutes. The Program is administered by the Office of Management and Enterprise Services.

(b) It is the purpose of the Certified Public Manager Program® to develop the management skills of public sector employees and to assist state agencies and other public sector organizations in the identification and development of future leaders.

260:25-17-111. Definitions

In addition to words and defined in OAC 455:10-1-2 or 260:25-1-2, the following words and terms, when used in this Part, shall have the following meaning, unless the context clearly indicates otherwise.

"Organizations" means municipalities, counties, Indian Nations, and the federal government.

"Program" means the Certified Public Manager Program® authorized by Section 840-1.6A(10) of Title 74 of the Oklahoma Statutes.

"Training section" means a group of participants who complete the program in the same period of time.

260:25-17-112. Program description

(a) **Eligibility.** Employees of state agencies in all branches of state government who are nominated by the Appointing Authority or designee may participate in the Program. Additionally, employees of organizations, who are nominated by the chief administrative officer or designee may participate in the Program.

(b) **Nomination procedure.**

(1) The nomination process and/or criteria will be determined by each agency. The Certified Public Manager Program® nomination form and information booklet are available from the Human Capital Management Division. The nomination form solicits information about the nominee and the nominating agency or organization and shall be signed by the nominee, the nominee's supervisor, and the agency's Appointing Authority or designee or the organization's chief administrative officer or designee. The information booklet provides information about the nomination process, a description of the Program, courses required to complete the Program, and the role of Higher Education in the Program.

(2) The agency or organization may nominate an employee for participation in the Program ~~at any time during designated enrollment periods~~ by forwarding a completed nomination form to the Certified Public Manager Program® at the Human Capital Management Division prior to the end of the enrollment period.

(c) **Enrollment in the Program.** The Administrator shall enroll an employee in the Certified Public Manager Program® who has been nominated by his or her agency or organization in ~~accordance with the procedures described in this section~~ the first available training section.

(d) **Communication with the Human Capital Management Division.** Interested persons may direct communications to the attention of the Oklahoma Certified Public Manager Program® in accordance with 260:1-1-12.

(e) **Experience credit.** Graduation from the Program as a "Certified Public Manager®" shall substitute for one (1) year of professional experience in business or public administration on any Merit System job class requiring such experience as part of the minimum qualifications.

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

(a) **Graduation requirements.** To graduate from the Program as a "Certified Public Manager®", a candidate shall complete all of the following graduation requirements ~~within 5 years after enrollment in the program~~ offered during the eighteen (18) month training section:

(1) ~~Attend 300 hours of management training courses. At least 200 of these hours shall be in Training and Development courses~~ all scheduled courses, project sessions and learning events prescribed by the Human Capital Management Division and specified in the information packet described in 260:25-17-112. The remaining hours shall be in ~~management-related elective courses~~ program pre-work requirements and other assignments;

(2) ~~Pass four written exams on the topics covered in the required coursework; Attend at least 75 percent of the scheduled class dates. Make up work will be provided for all in-person classes. Even if all makeup work is completed, but the candidate has failed to attend at least seventy-five (75) percent of the required scheduled sessions, they are eligible to be removed from the training section.~~

(3) ~~Complete three written project papers relating to the candidate's job and the courses taken;~~

~~(4)~~(3) Pay the Program fees described in 260:25-17-115 in full before graduation.

~~(b)~~ **Active status.**

~~(1) To remain an active participant in the Program, a candidate shall continue making progress toward completion of the Program requirements described in (a) of this Section during each 12-month period. The candidate shall notify the Administrator of the existence of circumstances that may affect the candidate's ability to remain active in the Program.~~

~~(2) If the candidate does not make progress toward completion of the Program requirements described in (a) of this Section within a 12-month period, the Administrator or designee shall notify the candidate and the candidate's supervisor in writing that the candidate shall make progress within 6 months from the date of the notification or be considered inactive.~~

~~(c)~~ **Inactive status.**

~~(1) If the candidate does not make progress toward completion of the Program requirements described in (a) of this Section within an 18-month period, the Administrator shall notify the candidate and the candidate's supervisor in writing that the candidate has been placed on inactive status. If a candidate placed on inactive status desires to return to active status he or shall notify the Administrator or designee in writing of his or her intent to continue to make progress toward completion of the Program requirements and shall submit a plan for completing those requirements.~~

~~(2) If the candidate does not make progress toward completion of the Program requirements described in (a) of this Section within a 24-month period, the Administrator or designee shall place the candidate on permanent inactive status.~~

~~(d)~~ **Return to active status.** The Administrator shall return a candidate placed on permanent inactive status to active status in the Program if:

~~(1) The employing agency or organization re-nominates the candidate;~~

~~(2) A committee consisting of the Administrator or designee, an instructor, and a Certified Public Manager @ approves the candidate's plan for completion of the Program; and~~

~~(3) The candidate repeats any required courses which have been updated or redesigned since he or she completed them.~~

~~(e)~~(b) Removal of a candidate from the Program. Only the nominating agency or organization may remove a candidate from the Program. The nominating agency or organization and the Administrator shall have the right to remove a candidate from the Program. Any candidate who fails to complete a training section will be given the greater of two (2) additional training section cycles or three (3) years to re-enroll in another training section without being charged. Hours earned for sessions attended or work completed in a previous training section are not transferrable to another training section.

260:25-17-114. Program requirements for nominating agency or organization

The nominating agency or organization shall:

(1) Provide time for the candidate, during his or her work day, to attend training courses, including the Capstone, prepare class assignments, study for examinations, and work on Program projects;

(2) Allow candidates to use agency or organization issues or problems for their four job related projects; and for classroom, project, and portfolio assignments;

(3) Provide financial support to agency candidates, as required by the Program.;

(4) Review and approve employee absences for scheduled cohort dates prior to sending the nomination to HCM; and

(5) Allow managers to participate in the employee's involvement in the program for activities such as attending project presentations, answering survey questions or providing employee assessments.

260:25-17-115. Program fees

(a) The fee for participation shall be established by the Administrator pursuant to ~~74:840-1.6A(10)~~74:840-1.6A(9).

(b) Should the fee structure change during the course of an employee's participation in the program, fees shall remain consistent with the fee assessed at the time of enrollment.

PART 13. PERSONNEL PROFESSIONAL TRAINING AND CERTIFICATION

260:25-17-130. Purpose

The rules in this Part implement ~~Section 840-1.6A(18)~~Section 840-1.6A(14) of Title 74 of the Oklahoma Statutes, which requires continuing training and certification of personnel professionals in the executive branch of state government, excluding institutions within The Oklahoma State System of Higher Education. The rules in this Part apply to both Merit System and non-Merit System agencies, and to both classified and unclassified personnel professionals. The rules establish policies and procedures necessary to implement personnel professionals training requirements.

260:25-17-132. Personnel professionals training requirements

(a) Beginning July 15, 1996, all employees assigned to professional personnel positions in the executive branch, excluding employees within The Oklahoma State System of Higher Education, shall attend ~~a minimum of 4 days or 2.4 Continuing Education Units (CEUs)~~ of training in professional personnel administration ~~conducted through~~ and determined by the Human Capital Management Division, and successfully complete an examination prescribed by the Administrator in order to attain certification as a personnel professional. In lieu of training conducted by the Human Capital Management Division, employees can complete a Professional in Human Resources (PHR) or a Senior Professional in Human Resources (SPHR) certification from the Human Resource Certification Institute (HRCI) or a Certified Professional or Senior Certified Professional certification form the International Public Management Association for Human Resources (IPMA-HR). Employees appointed to personnel professional positions after July 15, 1996, shall attend the training and successfully complete the examination within ~~6 months~~ one (1) year of appointment. ~~[74:840-1.6A(18)]~~[74:840-1.6A(14)]

(b) Service as an instructor for all or part of the course may be counted toward the training requirement. Employees serving as instructors must successfully complete the prescribed examination to attain certification as a personnel professional.

(c) Employees who have been certified as personnel professionals by the Administrator shall thereafter annually complete ~~a minimum of 8 hours of~~ training conducted and determined by the Human Capital Management Division in professional personnel administration to maintain certification. ~~[74:840-1.6A(18)]~~[74:840-1.6A(14)] The Administrator may approve training that is not conducted by the Human Capital Management Division as meeting the annual training requirements.

(d) The Appointing Authority of each agency with an employee assigned to a professional personnel position shall ensure the employee is notified and scheduled to attend required personnel professionals training and shall make time available for the employee to complete the training. ~~[74:840-1.6A(18)]~~[74:840-1.6A(14)]

260:25-17-138. Personnel professionals training fees

The fee for participation shall be established by the Administrator pursuant to ~~74:840-1.6A(10)~~74:840-1.6A(9).