



Summary of Notable Changes

Original Changes

The categories of classified and unclassified employees no longer exist, having been replaced by the category of state employees. This new category includes every employee in state service, with few exceptions. No more than 5% of an agency's employees may be designated as executive management, and those employees will be exempt from the new rules and will not have complaint rights over any disciplinary actions.

The hiring Rule of Ten and Veterans Preference no longer exist, and applicant scoring and ranking is no longer required.

Veterans using the Office of Veterans Placement for employment counseling will be identified to the hiring agency as requiring an interview on jobs for which they apply and meet qualifications.

A more streamlined State Internship Program has replaced the Carl Albert Public Internship Program.

Work is ongoing to create a master job catalog for all state employee positions.

The progressive discipline standards have been revised; pre-termination hearings and advance notice to the employee of disciplinary actions before finalization are no longer required.

State employees have the right to file a complaint for:

- Written reprimands.
- Punitive transfers.
- Suspension without pay.
- Involuntary demotion.
- Termination.

All employees can file a confidential whistleblower claim to report issues such as:

- Agency mismanagement.
- Employee mismanagement.
- Misuse of state funds.
- Misuse of state property.

The following employees shall be exempt from the effects of House Bill 1138:

- Persons employed by the Governor, Lieutenant Governor, Oklahoma House of Representatives, Oklahoma State Senate, Legislative Service Bureau, or the Legislative Office of Fiscal Transparency;
- Elected officials;
- Political appointees;
- District attorneys, assistant district attorneys or other employees of the district attorney's office, and the District Attorneys Council;
- The state judiciary or persons employed by the state judiciary;
- Not more than five percent (5%) of an agency's employees designated as executive management as determined by the agency director; the agency shall designate the status of the employee as state employee or executive management in the State of Oklahoma's Human Resources Information System maintained by the Office of Management and Enterprise Services Human Capital Management division;
- Temporary employees employed to work less than one thousand (1,000) hours in any twelve-month period;
- Seasonal employees employed to work less than one thousand six hundred (1,600) hours in any twelve-month period;
- Employees in a trial period; or
- State employees whose employment status is otherwise provided by law.

New Changes

Effective November 1, 2025, House Bill 1138 will amend the Civil Service and Human Capital Modernization Act as follows:

- The review of the merits of the complaint is not required to be limited to the employee disciplinary file directly at issue. In the event documents needed are not maintained in the disciplinary file, or additional witnesses are requested by the parties, the Administrative Law Judge ("ALJ") shall have the discretion to allow additional documentation or witnesses regarding the disciplinary action taken. Thus, an ALJ is now allowed to consider additional documentation not originally included in the disciplinary file for all state employees.
- Complaints relating to written reprimands shall be administered through mediation exclusively. However, state employees employed to perform duties as outlined in paragraph 6 of subsection E of § 3311 of Title 70 and § 2-105 of Title 47 of the Oklahoma Statutes shall be permitted to proceed to a hearing if mediation is unsuccessful.
- Pursuant to Title 62 O.S. § 34.301(C), complaints shall be filed with the Civil Service Division within ten (10) business days of the date when such action occurred and hearings shall take place within thirty (30) business days from the filing of the complaint. State employees employed to perform duties as outlined in paragraph 6 of subsection E of Section 3311 of Title 70 and Section 2-105 of Title 47 of the Oklahoma Statutes are now excluded from the thirty (30)-day hearing timeframe under Title 62 O.S. § 34.301(C).
- The Civil Service Division, in addition to receiving and acting upon complaints from disciplinary action, may now hear grievances filed by state employees employed to perform duties as outlined in paragraph 6 of subsection E of § 3311 of Title 70 and § 2-105 of Title 47 of the Oklahoma Statutes. This only applies to the designated law enforcement state employees.

Effective November 1, 2025, House Bill 723 will amend Title 72 O.S. § 63.18A. The following

positions that were previously in the unclassified service under the merit system administered by the Merit Protection Commission will now be exempt from the Civil Service and Human Capital Modernization Act protections:

- Physician assistants;
- Occupational therapists;
- Physical therapists;
- Pharmacists;
- Speech pathologists;
- Nurse practitioners;
- Physical therapy assistants;
- Administrative Assistants to the Director;
- Programs Administrators;
- Administrators, Veterans Centers; and
- Assistant Administrators, Veterans Centers.