

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2650

By: Echols

4
5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Employment Security
8 Commission; amending 40 O.S. 2011, Section 4-312, as
9 amended by Section 130, Chapter 304, O.S.L. 2012 (40
10 O.S. Supp. 2020, Section 4-312), which relates to
11 personnel and compensation; removing authorization to
12 maintain merit system; amending 74 O.S. 2011, Section
13 840-5.5, as last amended by Section 1, Chapter 365,
14 O.S.L. 2019 (74 O.S. Supp. 2020, Section 840-5.5),
15 which relates to the Oklahoma Personnel Act; making
16 certain positions unclassified; and providing an
17 effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 40 O.S. 2011, Section 4-312, as
20 amended by Section 130, Chapter 304, O.S.L. 2012 (40 O.S. Supp.
21 2020, Section 4-312), is amended to read as follows:

22 Section 4-312. PERSONNEL AND COMPENSATION.

23 Subject to other provisions of this act, the Oklahoma Employment
24 Security Commission is authorized to appoint, fix the compensation
and prescribe the duties and powers of such officers, accountants,
attorneys, experts, and other persons as may be necessary in the
performance of its duties under this act. The Commission may

1 delegate to any such persons such power and authority as it deems
2 reasonable and proper for the effective administration of this act,
3 and may in its discretion bond any person handling moneys or signing
4 checks hereunder. ~~The Commission is authorized and directed to~~
5 ~~maintain the existing merit system covering all persons employed in~~
6 ~~the administration of this act and shall have authority, by rule, to~~
7 ~~provide for all matters which are appropriate to the establishment~~
8 ~~and maintenance of such system on the basis of efficiency and~~
9 ~~fitness.~~ The Commission is authorized to adopt such rules as may be
10 necessary to meet personnel standards promulgated by the Office of
11 Management and Enterprise Services ~~pursuant to the Social Security~~
12 ~~Act, as amended, and the Act of Congress entitled "An Act to provide~~
13 ~~for the establishment of a national employment system, and for other~~
14 ~~purposes", approved June 6, 1933, as amended, and to provide for the~~
15 ~~maintenance of the merit system required under this section in~~
16 ~~conjunction with any merit system applicable to any other state~~
17 ~~agency or agencies which meets the personnel standards promulgated~~
18 ~~by the Office of Management and Enterprise Services.~~

19 SECTION 2. AMENDATORY 74 O.S. 2011, Section 840-5.5, as
20 last amended by Section 1, Chapter 365, O.S.L. 2019 (74 O.S. Supp.
21 2020, Section 840-5.5), is amended to read as follows:

22 Section 840-5.5 A. The following offices, positions, and
23 personnel shall be in the unclassified service and shall not be
24 placed under the classified service:

1 1. Persons chosen by popular vote or appointment to fill an
2 elective office, and their employees, except the employees of the
3 Corporation Commission, the State Department of Education and the
4 Department of Labor;

5 2. Members of boards and commissions, and heads of agencies;
6 also one principal assistant or deputy and one executive secretary
7 for each state agency;

8 3. All judges, elected or appointed, and their employees;

9 4. Persons employed with one-time, limited duration, federal or
10 other grant funding that is not continuing or indefinitely
11 renewable. The length of the unclassified employment shall not
12 exceed the period of time for which that specific federal funding is
13 provided;

14 5. All officers and employees of The Oklahoma State System of
15 Higher Education, State Board of Education and Oklahoma Department
16 of Career and Technology Education;

17 6. Persons employed in a professional or scientific capacity to
18 make or conduct a temporary and special inquiry, investigation, or
19 examination on behalf of the Legislature or a committee thereof or
20 by authority of the Governor. These appointments and authorizations
21 shall terminate on the first day of the regular legislative session
22 immediately following the appointment, if not terminated earlier.
23 However, nothing in this paragraph shall prevent the reauthorization
24

1 and reappointment of any such person. Any such appointment shall be
2 funded from the budget of the appointing authority;

3 7. Election officials and employees;

4 8. Temporary employees employed to work less than one thousand
5 (1,000) hours in any twelve-month period, and seasonal employees
6 employed by the Oklahoma Tourism and Recreation Department pursuant
7 to Section 2241 of this title who work less than one thousand six
8 hundred (1,600) hours in any twelve-month period;

9 9. Department of Public Safety employees occupying the
10 following offices or positions:

- 11 a. administrative aides to the Commissioner,
- 12 b. executive secretaries to the Commissioner,
- 13 c. the Governor's representative of the Oklahoma Highway
14 Safety Office who shall be appointed by the Governor,
- 15 d. Highway Patrol Colonel,
- 16 e. Highway Patrol Lieutenant Colonel,
- 17 f. Highway Patrol Major,
- 18 g. Director of Finance,
- 19 h. noncommissioned pilots,
- 20 i. Information Systems Administrator,
- 21 j. Law Enforcement Telecommunications System Specialist,
- 22 k. Director of Driver Compliance,
- 23 l. Director of Transportation Division,
- 24 m. Director of the Oklahoma Highway Safety Office,

1 n. Civil Rights Administrator,
2 o. Budget Analyst,
3 p. Comptroller,
4 q. Chaplain,
5 r. Helicopter Mechanic,
6 s. Director of Safety Compliance,
7 t. Human Resources Director,
8 u. Administrator of Department Services, and
9 v. a maximum of seven positions for the purpose of
10 administering programs in the Oklahoma Highway Safety
11 Office, within full-time employee limitations of the
12 Department, employed with federal funding that is
13 continuing or indefinitely renewable. The
14 authorization for such positions shall be terminated
15 if the federal funding for positions is discontinued;
16 provided, any person appointed to a position prescribed in
17 subparagraph d, e or f of this paragraph shall have a right of
18 return to the classified commissioned position without any loss of
19 rights, privileges or benefits immediately upon completion of the
20 duties in the unclassified commissioned position;

21 10. Professional trainees only during the prescribed length of
22 their course of training or extension study;

23 11. Students who are employed on a part-time basis, which shall
24 be seventy-five percent (75%) of a normal forty-hour work week or

1 thirty (30) hours per week, or less, or on a full-time basis if the
2 employment is pursuant to a cooperative education program such as
3 that provided for under Title I IV-D of the Higher Education Act of
4 1965 (20 U.S.C. 1087a-1087c), as amended, and who are regularly
5 enrolled in:

6 a. an institution of higher learning within The Oklahoma
7 State System of Higher Education,

8 b. an institution of higher learning qualified to become
9 coordinated with The Oklahoma State System of Higher
10 Education. For purposes of this section, a student
11 shall be considered a regularly enrolled student if
12 the student is enrolled in a minimum of five (5) hours
13 of accredited graduate courses or a minimum of ten
14 (10) hours of accredited undergraduate courses;
15 provided, however, the student shall only be required
16 to be enrolled in a minimum of six (6) hours of
17 accredited undergraduate courses during the summer, or

18 c. high school students regularly enrolled in a high
19 school in Oklahoma and regularly attending classes
20 during such time of enrollment;

21 12. The spouses of personnel who are employed on a part-time
22 basis to assist or work as a relief for their spouses in the
23 Oklahoma Tourism and Recreation Department;

24

1 13. Service substitute attendants who are needed to replace
2 museum and site attendants who are unavoidably absent. Service
3 substitutes may work as part-time or full-time relief for absentees
4 for a period of not more than four (4) weeks per year in the
5 Oklahoma Historical Society sites and museums; such substitutes will
6 not count towards the agency's full-time-equivalent (FTE) employee
7 limit;

8 14. Employees of the Oklahoma House of Representatives, the
9 State Senate, or the Legislative Service Bureau;

10 15. Corporation Commission personnel occupying the following
11 offices and positions:

- 12 a. Administrative aides, and executive secretaries to the
13 Commissioners,
- 14 b. Directors of all the divisions, personnel managers and
15 comptrollers,
- 16 c. General Counsel,
- 17 d. Public Utility Division Chief Engineer,
- 18 e. Public Utility Division Chief Accountant,
- 19 f. Public Utility Division Chief Economist,
- 20 g. Public Utility Division Deputy Director,
- 21 h. Secretary of the Commission,
- 22 i. Deputy Conservation Director,
- 23 j. Manager of Pollution Abatement,
- 24 k. Manager of Field Operations,

- 1 l. Manager of Technical Services,
- 2 m. Public Utility Division Chief of Telecommunications,
- 3 n. Director of Information Services,
- 4 o. All Data Processing employees hired on or after
- 5 September 1, 2005,
- 6 p. All Public Utilities employees hired on or after
- 7 September 1, 2007,
- 8 q. All Regulatory Program Managers hired on or after
- 9 September 1, 2007, and
- 10 r. All Pipeline Safety Department employees hired on or
- 11 after September 1, 2008;

12 16. At the option of the employing agency, the Supervisor,
13 Director, or Educational Coordinator in any other state agency
14 having a primary responsibility to coordinate educational programs
15 operated for children in state institutions;

16 17. Department of Mental Health and Substance Abuse Services
17 personnel occupying the following offices and positions at each
18 facility:

- 19 a. Director of Facility,
- 20 b. Deputy Director for Administration,
- 21 c. Clinical Services Director,
- 22 d. Executive Secretary to Director, and
- 23 e. Directors or Heads of Departments or Services;

- 1 18. Office of Management and Enterprise Services personnel
2 occupying the following offices and positions:
- 3 a. State Comptroller,
 - 4 b. Administrative Officers,
 - 5 c. Alternator Claims Auditor,
 - 6 d. Employees hired to fulfill state compliance agency
7 requirements under Model Tribal Gaming Compacts,
 - 8 e. Employees of the Budget Division,
 - 9 f. Employees of the Fiscal and Research Division,
 - 10 g. Employees hired to work on the CORE Systems Project,
11 and
 - 12 h. The following employees of the Information Services
13 Division:
 - 14 (1) Information Services Division Manager,
 - 15 (2) Network Manager,
 - 16 (3) Network Technicians,
 - 17 (4) Security Manager,
 - 18 (5) Contracts/Purchasing Manager,
 - 19 (6) Operating and Applications Manager,
 - 20 (7) Project Manager,
 - 21 (8) Help Desk Manager,
 - 22 (9) Help Desk Technicians,
 - 23 (10) Quality Assurance Manager,
 - 24 (11) ISD Analysts,

- 1 (12) CORE Manager,
- 2 (13) Enterprise System/Database Software Manager,
- 3 (14) Data Center Operations and Production Manager,
- 4 (15) Voice Communications Manager,
- 5 (16) Applications Development Manager,
- 6 (17) Projects Manager,
- 7 (18) PC's Manager,
- 8 (19) Servers Manager,
- 9 (20) Portal Manager,
- 10 (21) Procurement Specialists,
- 11 (22) Security Technicians,
- 12 (23) Enterprise Communications and Network
13 Administrator,
- 14 (24) Server Support Specialists,
- 15 (25) Senior Server Support Specialists,
- 16 (26) Systems Support Specialists,
- 17 (27) Senior Systems Support Specialists,
- 18 (28) Chief Technology Officer,
- 19 (29) Facility Manager,
- 20 (30) Application Development Specialists,
- 21 (31) Senior Application Development Specialists,
- 22 (32) Workstation Specialists,
- 23 (33) Senior Workstation Specialists,
- 24 (34) Cabling Infrastructure Administration,

- 1 (35) Planning Specialists,
- 2 (36) Senior Planning Specialists,
- 3 (37) Network Specialists,
- 4 (38) Senior Network Specialists,
- 5 (39) Voice Communication Specialists, and
- 6 (40) Senior Voice Communication Specialists;

7 19. Employees of the Oklahoma Industrial Finance Authority;

8 20. Those positions so specified in the annual business plan of
9 the Oklahoma Department of Commerce;

10 21. Those positions so specified in the annual business plan of
11 the Oklahoma Center for the Advancement of Science and Technology;

12 22. The following positions and employees of the Oklahoma
13 School of Science and Mathematics:

- 14 a. positions for which the annual salary is Twenty-four
15 Thousand One Hundred Ninety-three Dollars (\$24,193.00)
16 or more, as determined by the Office of Management and
17 Enterprise Services; provided, no position shall
18 become unclassified because of any change in salary or
19 grade while it is occupied by a classified employee,
- 20 b. positions requiring certification by the State
21 Department of Education, and
- 22 c. positions and employees authorized to be in the
23 unclassified service of the state elsewhere in this
24 section or in subsection B of this section;

1 23. Office of Management and Enterprise Services employees
2 occupying the following positions:

- 3 a. the Carl Albert Internship Program Coordinator,
- 4 b. one Administrative Assistant,
- 5 c. one Workforce Planning Manager,
- 6 d. Assistant Administrators,
- 7 e. one Associate Administrator, and
- 8 f. Division Directors;

9 24. Department of Labor personnel occupying the following
10 offices and positions:

- 11 a. two Deputy Commissioners,
- 12 b. two Executive Secretaries to the Commissioner,
- 13 c. Chief of Staff,
- 14 d. two Administrative Assistants,
- 15 e. Information Systems Administrator,
- 16 f. three Safety and Health Directors,
- 17 g. Research Director,
- 18 h. Employment Standards Director,
- 19 i. Asbestos Director,
- 20 j. General Counsel,
- 21 k. one Legal Secretary,
- 22 l. one Docket Clerk,
- 23 m. two Information Systems Application Specialists,
- 24 n. one Administrative Programs Officer,

1 o. one Industrial Hygienist Supervisor, and

2 p. one Public Information Officer;

3 25. The State Bond Advisor and his or her employees;

4 26. ~~The Officers and employees of the Oklahoma Employment~~
5 Security Commission ~~employees occupying the following positions:~~

6 a. ~~Associate Director,~~

7 b. ~~Secretary to the Associate Director, and~~

8 c. ~~Assistant to the Executive Director;~~

9 27. Officers and employees of the State Banking Department;

10 28. Officers and employees of the University Hospitals
11 Authority ~~except personnel in the state classified service pursuant~~
12 ~~to Section 3211 of Title 63 of the Oklahoma Statutes~~ and members of
13 the University Hospitals Authority Model Personnel System created
14 pursuant to subsection E of Section 3211 of Title 63 of the Oklahoma
15 Statutes ~~or as otherwise provided for in Section 3213.2 of Title 63~~
16 ~~of the Oklahoma Statutes;~~

17 29. Alcoholic Beverage Laws Enforcement Commission employees
18 occupying the following positions:

19 a. three Administrative Service Assistant positions,
20 however, employees in such positions who are in the
21 unclassified service on June 4, 2003, may make an
22 election to be in the classified service without a
23 loss in salary by September 1, 2003, and

1 b. the Deputy Director position in addition to the one
2 authorized by paragraph 2 of this subsection;

3 30. The Oklahoma State Bureau of Investigation employees
4 occupying the following positions:

5 a. five assistant directors,

6 b. special investigators based upon the availability of
7 funds and the needs of the agency as determined by the
8 Director,

9 c. one information representative,

10 d. one federally funded physical evidence technician,

11 e. four federally funded laboratory analysts,

12 f. a maximum of fourteen positions employed for the
13 purpose of managing the automated information systems
14 of the agency,

15 g. one executive secretary in addition to the one
16 executive secretary authorized pursuant to paragraph 2
17 of this subsection,

18 h. Child Abuse Response Team (CART) investigator,

19 i. Child Abuse Response Team (CART) forensic interviewer,

20 j. nine administration and research positions and five
21 data processing and information technology positions
22 transferred from the Criminal Justice Resource Center
23 pursuant to Section 150.17a of this title,

24 k. one Human Resources Director, and

1 1. one Comptroller;

2 31. The Department of Transportation, the following positions:

3 a. Director of the Oklahoma Aeronautics Commission,

4 b. five Department of Transportation Assistant Director
5 positions,

6 c. eight field division engineer positions,

7 d. one pilot position,

8 e. five Project Manager positions, and

9 f. five Transportation Coordinators;

10 32. Commissioners of the Land Office employees occupying the
11 following positions:

12 a. Chief Financial Officer,

13 b. two Assistant Directors of Financial Services,

14 c. two Archivists,

15 d. one Audit Tech position,

16 e. two Auditor positions,

17 f. two Accounting Tech I positions,

18 g. two Administrative Assistant positions,

19 h. one Imaging Specialist position,

20 i. one Information Systems Specialist position,

21 j. Director of Communications,

22 k. Director of Royalty Compliance,

23 l. Director of Mineral Management,

24 m. Accountant or Certified Public Accountant,

- 1 n. Commercial Property Manager,
- 2 o. Assistant Secretary,
- 3 p. Director of Real Estate Management,
- 4 q. one executive assistant,
- 5 r. one legal secretary,
- 6 s. one secretary,
- 7 t. one Assistant Commercial Property Manager,
- 8 u. one Oil and Gas Production Advisor or Geologist,
- 9 v. one Soil Conservationist,
- 10 w. one Administrative Programs Officer,
- 11 x. one Geographic Information Systems Specialist,
- 12 y. Director of Oil and Gas Division, and
- 13 z. Financial Manager/Comptroller;

14 33. Within the Oklahoma State Bureau of Narcotics and Dangerous
15 Drugs Control Commission, the following positions:

- 16 a. six Narcotics Agent positions and three Typist
17 Clerk/Spanish transcriptionists, including a Typist
18 Clerk Supervisor/Spanish transcriptionist; provided,
19 authorization for such positions shall be terminated
20 if the federal funding for the positions is
21 discontinued,
- 22 b. one executive secretary in addition to the one
23 authorized pursuant to paragraph 2 of this subsection,
- 24 c. one fiscal officer,

- d. one full-time Programmer, and
- e. one full-time Network Engineer;

34. The Military Department of the State of Oklahoma is authorized such unclassified employees within full-time employee limitations to work in any of the Department of Defense directed youth programs, the State of Oklahoma Juvenile Justice youth programs, those persons reimbursed from Armory Board or Billeting Fund accounts, and skilled trade positions;

35. Within the Oklahoma Commission on Children and Youth the following unclassified positions:

- a. one Oversight Specialist and one Community Development Planner,
- b. one State Plan Grant Coordinator; provided, authorization for the position shall be terminated when federal support for the position by the United States Department of Education Early Intervention Program is discontinued,
- c. one executive secretary in addition to the one authorized pursuant to paragraph 2 of this subsection, and
- d. one Programs Manager;

36. The following positions and employees of the Office of Management and Enterprise Services:

- a. one Executive Secretary in addition to the Executive Secretary authorized by paragraph 2 of this subsection,
- b. the Director of Central Purchasing,
- c. one Alternate Fuels Administrator,
- d. one Director of Special Projects,
- e. three postauditors,
- f. four high-technology contracting officers,
- g. one Executive Assistant to the Purchasing Director,
- h. four Contracts Managers,
- i. one Associate Director,
- j. one specialized HiTech/Food Contracting Officer,
- k. one State Use Contracting Officer,
- l. one Property Distribution Administrator,
- m. three licensed architects assigned to the Construction and Properties Division,
- n. three licensed engineers assigned to the Construction and Properties Division,
- o. eight construction consultants assigned to the Construction and Properties Division,
- p. one attorney assigned to the Construction and Properties Division,
- q. three positions assigned to the Information Services Division, which shall include one Information

- 1 Technology Manager, one Applications Specialist and
2 one Data Planning Specialist,
3 r. four positions assigned to Fleet Management, which
4 shall include one Deputy Fleet Manager and three
5 Management Analysts,
6 s. one Chief Auditor,
7 t. one Assistant Director of Central Purchasing Division,
8 u. one Professional Errors and Omissions Liability
9 Adjuster,
10 v. three Strategic Sourcing Managers,
11 w. three Strategic Sourcing Assistant Managers, and
12 x. two Printing Services Brokers;

13 37. Oklahoma Water Resources Board personnel occupying the
14 following offices and positions:

- 15 a. four Water Quality Assistant Division Chiefs,
16 b. four Water Resources Division Chiefs, and
17 c. Director of Water Planning;

18 38. J.D. McCarty Center for Children with Developmental
19 Disabilities personnel occupying the following offices and
20 positions:

- 21 a. Physical Therapists,
22 b. Physical Therapist Assistants,
23 c. Occupational Therapists,
24 d. Certified Occupational Therapist Aides, and

1 e. Speech Pathologists;

2 39. Oklahoma Historical Society personnel occupying the
3 following offices and positions:

4 a. the Development Officer,

5 b. the Director of the State Museum of History,

6 c. the Cherokee Strip Regional Heritage Center Director,

7 d. the Director of Museums and Historic Sites,

8 e. the Director of Research,

9 f. the Deputy State Historic Preservation Officer, and

10 g. the Director of the Oklahoma Museum of Popular
11 Culture;

12 40. Oklahoma Department of Agriculture, Food, and Forestry
13 personnel occupying the following positions:

14 a. one Executive Secretary in addition to the Executive
15 Secretary authorized by paragraph 2 of this subsection
16 and one Executive Assistant,

17 b. nineteen Agricultural Marketing Coordinator III
18 positions,

19 c. temporary fire suppression personnel, regardless of
20 the number of hours worked, who are employed by the
21 Oklahoma Department of Agriculture, Food, and
22 Forestry; provided, however, notwithstanding the
23 provisions of any other section of law, the hours
24 worked by such employees shall not entitle such

1 employees to any benefits received by full-time
2 employees,

3 d. one Information Technology Specialist,

4 e. one Director of Administrative Services,

5 f. one Professional Engineer,

6 g. one hydrologist position,

7 h. Pet Breeder Inspectors,

8 i. one Information Technology Technician,

9 j. Legal Services Director,

10 k. Animal Industry Services Director,

11 l. Agricultural Environmental Management Services
12 Director,

13 m. Forestry Services Director,

14 n. Plant Industry and Consumer Services Director,

15 o. one Grants Administrator position,

16 p. Director of Laboratory Services,

17 q. Chief of Communications,

18 r. Public Information Manager,

19 s. Inventory/Supply Officer,

20 t. five Agriculture Field Inspector positions assigned

21 the responsibility for conducting inspections and

22 audits of agricultural grain storage warehouses. All

23 other Agriculture Field Inspector positions and

24 employees of the Oklahoma Department of Agriculture,

1 Food, and Forestry shall be classified and subject to
2 the provisions of the Merit System of Personnel
3 Administration. On November 1, 2002, all other
4 unclassified Agriculture Field Inspectors shall be
5 given status in the classified service as provided in
6 Section 840-4.2 of this title,

7 u. Rural Fire Coordinator,

8 v. one Agricultural Marketing Coordinator I,

9 w. Food Safety Division Director,

10 x. two Environmental Program Specialists,

11 y. two Scale Technicians,

12 z. two Plant Protection Specialists,

13 aa. Chief Agent,

14 bb. Professional Foresters,

15 cc. Forestry Education Coordinator,

16 dd. Forest Data Analyst,

17 ee. Executive Secretary to Chief Agent, and

18 ff. Executive Secretary of State Forester;

19 41. The Contracts Administrator within the Oklahoma State
20 Employees Benefits Council;

21 42. The Development Officer within the Oklahoma Department of
22 Libraries;

23 43. Oklahoma Real Estate Commission personnel occupying the
24 following offices and positions:

1 a. Educational Program Director, and

2 b. Data Processing Manager;

3 44. A Chief Consumer Credit Examiner for the Department of
4 Consumer Credit;

5 45. All officers and employees of the Oklahoma Capitol Complex
6 and Centennial Commemoration Commission;

7 46. All officers and employees of the Oklahoma Motor Vehicle
8 Commission;

9 47. One Museum Archivist of The Will Rogers Memorial
10 Commission;

11 48. One Fire Protection Consultant of the Office of the State
12 Fire Marshal;

13 49. Acting incumbents employed pursuant to Section 209 of Title
14 44 or Section 48 of Title 72 of the Oklahoma Statutes who shall not
15 be included in any limitation on full-time equivalency imposed by
16 law on an agency. Permanent classified employees may request a
17 leave of absence from classified status and accept an unclassified
18 appointment and compensation as an acting incumbent with the same
19 agency; provided, the leave shall expire no later than two (2) years
20 from the date of the acting incumbent appointment. An appointing
21 authority may establish unclassified positions and appoint
22 unclassified employees to perform the duties of a permanent
23 classified employee who is on leave of absence from a classified
24 position to serve as an acting incumbent. All unclassified

1 appointments created pursuant to this paragraph shall expire no
2 later than two (2) years from the date of appointment. Classified
3 employees accepting unclassified appointments and compensation
4 pursuant to this paragraph shall be entitled to participate without
5 interruption in any benefit programs available to classified
6 employees, including retirement and insurance programs. Immediately
7 upon termination of an unclassified appointment pursuant to this
8 paragraph, an employee on assignment from the classified service
9 shall have a right to be restored to the classified service and
10 reinstated to the former job family level and compensation plus any
11 adjustments and increases in salary or benefits which the employee
12 would have received but for the leave of absence;

13 50. The Oklahoma Homeland Security Director and all other
14 positions assigned the responsibilities of working in the Oklahoma
15 Office of Homeland Security;

16 51. The following eighteen positions in the State Department of
17 Health:

- 18 a. one surveillance supervisor,
 - 19 b. one surveillance project monitor,
 - 20 c. two bilingual interviewers,
 - 21 d. eight senior interviewers, and
 - 22 e. six interviewers;
- 23
24

1 52. State Board of Licensure for Professional Engineers and
2 Land Surveyors personnel occupying the following offices and
3 positions:

- 4 a. one Director of Enforcement, and
- 5 b. two Board Investigators;

6 53. One Information Systems Data Management Analyst of the
7 State and Education Employees Group Insurance Board;

8 54. Office of Juvenile Affairs personnel occupying the
9 following offices and positions:

- 10 a. two Management Information Systems positions, and
- 11 b. employees hired for service at the Southwest Oklahoma
12 Juvenile Center in Manitou after June 1, 2020, as
13 provided in subsection C of Section 2-7-202 of Title
14 10A of the Oklahoma Statutes; and

15 55. Heads of agencies, principal assistants or deputies and
16 executive secretaries of an agency that is consolidated into another
17 agency.

18 B. If an agency has the authority to employ personnel in the
19 following offices and positions, the appointing authority shall have
20 the discretion to appoint personnel to the unclassified service:

- 21 1. Licensed medical doctors, osteopathic physicians, dentists,
22 psychologists, and nurses;
- 23 2. Certified public accountants;
- 24 3. Licensed attorneys;

1 4. Licensed veterinarians; and

2 5. Licensed pharmacists.

3 C. Effective July 1, 1996, authorization for unclassified
4 offices, positions, or personnel contained in a bill or joint
5 resolution shall terminate June 30 of the ensuing fiscal year after
6 the authorization unless the authorization is codified in the
7 Oklahoma Statutes or the termination is otherwise provided in the
8 legislation.

9 D. The appointing authority of agencies participating in the
10 statewide information systems project may establish unclassified
11 positions and appoint unclassified employees to the project as
12 needed. Additional unclassified positions may be established, if
13 required, to appoint an unclassified employee to perform the duties
14 of a permanent classified employee who is temporarily absent from a
15 classified position as a result of assignment to this project. All
16 unclassified appointments under this authority shall expire no later
17 than December 31, 2007, and all unclassified positions established
18 to support the project shall be abolished. Both the positions and
19 appointments resulting from this authority shall be exempt from any
20 agency FTE limitations and any limits imposed on the number of
21 unclassified positions authorized. Permanent classified employees
22 may request a leave of absence from classified status and accept an
23 unclassified appointment and compensation with the same agency under
24 the provisions of this subsection; provided, the leave shall expire

1 no later than December 31, 2007. Employees accepting the
2 appointment and compensation shall be entitled to participate
3 without interruption in any benefit programs available to classified
4 employees, including retirement and insurance programs. Immediately
5 upon termination of an unclassified appointment pursuant to this
6 subsection, an employee on assignment from the classified service
7 shall have a right to be restored to the classified service and
8 reinstated to the former job family level and compensation plus any
9 adjustments and increases in salary or benefits which the employee
10 would have received but for the leave of absence.

11 SECTION 3. This act shall become effective November 1, 2021.

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13 58-1-6541 LRB 01/15/21

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