

HR Exchange

Volume 9 Issue 3

A publication of the State of Oklahoma Office of Personnel Management

December 2005

In Memoriam

Dayna R. Petete



March 7, 1954 - October 10, 2005

On October 10, 2005, the Office of Personnel Management lost a valuable team member. Dayna R. Petete, served the Oklahoma Office of Personnel Management as Assistant Administrator for Communications and Legislative Liaison, as well as Coordinator of the Carl Albert Public Internship Program. Most of you probably remember her best as Editor of this publication, the HR Exchange. The Office of Personnel Management dedicates this issue to the memory of Dayna R. Petete and her commitment to excellence in state government service.

From the Desk of the Administrator

(These remarks originally delivered at funeral services for Dayna R. Petete held October 13, 2005).

A little over thirteen years ago, I was at my desk reviewing my daily correspondence, and I came across a letter dated October 15, 1992, from a lady who scored points up front by addressing me as “The Honorable Oscar B. Jackson.” In the opening paragraph of her letter she stated, “I am extremely interested in acquiring a legal or legislative position on your staff.”

This letter was from a “Dayna R. Petete”, from Moore, Oklahoma. In her opening paragraph, Dayna made a statement which exemplifies the manner in which she approached her many challenging job assignments on behalf of the Office of Personnel Management.

After writing that she had graduated from the University of Oklahoma College of Law and been admitted to the Pennsylvania Bar with plans to sit for the Oklahoma bar exam within six months, she included the following statement:

“Prior to attending law school, I was a public school teacher in Moore, Oklahoma; during law school, I clerked for Mr. Larry Derryberry. Since receiving my law degree, I have had extensive legal and legislative experience at the state level, as a bill analyst for the president of the Maryland Senate, and as the assistant legislative liaison for the Maryland Department of the Environment. For the past three years, I have lobbied for two national non-profit organizations based in Washington, D.C.”

I immediately went next door to share the letter and resume with Marty Irwin, OPM Associate Administrator for Policy Services, and suggested that we invite Ms. Petete in for an interview for a job that at that time did not even exist. If I recall correctly, Marty interviewed her the very next day.

Well, as they say, the rest is history. Dayna began what has been an



outstanding career with the Office of Personnel Management on October 26, 1992. She initially reported to Marty Irwin, but following Marty's retirement in February of 1999, Dayna reported directly to me.

The fact that she had three job titles is indicative of her exceptional talents and the many outstanding contributions she made on behalf of the Office of Personnel Management as Assistant Administrator for Communications and Legislative Liaison, and Carl Albert Public Internship Program Coordinator. Dayna's file is full of letters and memos from individuals throughout state government who recognized and appreciated her extraordinary leadership and expertise in the areas covered by the three hats she wore for OPM.

We were truly blessed to have her as a member of OPM these past thirteen years. She did a wonderful job of putting a “face” on OPM to communicate, not only information about the services we offer and the people we serve, but as importantly, the OPM Team members who provide the services.

With every issue of the OPM HR Exchange, CAPIP NEWS or the OPM Annual Report, we were reminded of our important role in state government and the fact that our efforts impact in a very meaningful way the operations of other state agencies and the lives of their staffs as well as the citizens of Oklahoma. Dayna also prepared and published a newsletter for the General Counsel Forum, an association of attorneys in state agencies.

As proud as we are of Dayna's many accomplishments in Oklahoma, you may not be aware that she was quite involved in various state, regional and national human resource professional organizations. She previously served as President of the Oklahoma Public Personnel Association, which later became the Oklahoma Public Human Resource Association, a Chapter of IPMA-HR, the International Public Management Association for Human Resources. This year she also served as President of the Southern Region of IPMA-HR, which represents HR professionals at local, state and federal levels of government in the thirteen southern states.

Desk of Administrator, continued on page 3

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This publication has been printed and distributed by the Office of Personnel Management as authorized by the Administrator, Oscar B. Jackson, Jr. One hundred copies have been printed at a cost of \$87.68. Copies have been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries.

When we learned that Dayna had passed away, we immediately communicated with our OPM Team, over 100 Oklahoma state agency HR directors, and the forty-five IPMA-HR chapters and their members throughout the United States, representing nearly 6000 public HR professionals in local, state and federal government. Over the last four days I have received hundreds of calls and letters from individuals across the country whose lives were touched by Dayna Petete.

I would like to share one note with you from Mark Van Bruggen, from New Jersey, who serves as President-Elect of the IPMA-HR Eastern Region. The note was sent to all state chapters in the Eastern Region:

“It is with a heavy heart that I write to inform you that IPMA-HR has lost a well-respected leader at the National level. Dayna Petete, President of the Southern Region of IPMA-HR, died unexpectedly this past Monday. I had the great pleasure of meeting Dayna for the first time this past August at the IPMA-HR Leadership Conference in Alexandria, VA. Dayna was a fun-loving southern gal from Oklahoma. She knew when to be all business . . . but more than that, she knew when (and how) to have fun. I consider myself fortunate to have had the opportunity to meet Dayna and have her touch my life before she was so suddenly called home.”

I have been blessed with the pleasure of working with many truly exceptional people during my career. I can honestly say that Dayna Petete made a tremendous difference in my life, personally and professionally. I am reminded of George Bailey of *Bailey Savings and Loan* in the classic movie “*It’s A Wonderful Life*,” which posed the question, “What would the world be like if George Bailey had not been born?” Dayna Petete made a tremendous difference in the lives of all she encountered. And, I count myself as being so fortunate to have noticed her letter and resume thirteen years ago, and having the good sense to provide her the opportunity have such an impact in my life.

State of Oklahoma and China’s Gansu Province Celebrate 20th Anniversary



Pictured left to right: Oscar B. Jackson, Jr., OPM; Vasily Sengdara, Council Member; Tinny Chang, Council Member; Lu Hao, Governor, Gansu Province, Peoples Republic of China; Hung Le, Council Chair; and, Nick Wu, Council Member.

On November 3, 2005, Governor Brad Henry hosted a luncheon at the Governor's Mansion to celebrate the 20th anniversary of the Sister State relationship between the State of Oklahoma and the Gansu Province in China. Governor Henry and Lu Hao, Governor, Gansu Province, Peoples Republic of China, signed documents reaffirming the sister-state agreements between the State of Oklahoma and the Gansu Province.

Numerous individuals from both the public and private sector attended the

luncheon, including members of the Governor's Advisory Council on Asian American Affairs and Oscar Jackson, OPM Administrator and Cabinet Secretary.

Additionally, former Governor George Nigh, who began the sister-state relationship during his administration 20 years ago, attended and commented on how the agreement has resulted in numerous mutually beneficial exchanges between representatives of government, businesses, culture, education, agriculture, and medicine.

“Far and away the best prize that life offers is the chance to work hard at work worth doing.”

Notable Quote by William B. Given, Jr.

Oklahomans Attend 2005 IPMA-HR International Training Conference



Pictured left to right: Oscar Jackson, OPM; Shirley Jackson; Lynda vonBargen, 2005 IPMA-HR President, Montgomery College, Rockville, Maryland; Diane Haser-Bennett, OPM; Ray Bennett; Al Smith, DHS; and Greg Thomas, OPM. Not pictured: Dr. Doyle Fortney, Director of Human Resources, Mental Health and Substance Abuse Services; Gene Krier, HR Program Manager, OSEEGIB; and, Megan Moody, HR Manager, Career and Technology Education.

The 2005 International Public Management Association for Human Resources (IPMA-HR) International Training Conference, initially scheduled for New Orleans, Louisiana, was held at the Adam's Mark Hotel in Dallas, Texas, October 15-19, 2005. IPMA-HR maintained the same conference theme as had been designated for New Orleans, "HR: The Art of Improvisation". In addition to OPM staff members Oscar Jackson (IPMA-CP), Diane Haser-Bennett and Greg Thomas (IPMA-CS), the following state agency HR professionals attended: Al Smith, Director of Human Resources (IPMA-CP), DHS; Dr. Doyle Fortney, Director of Human Resources, Mental Health and Substance Services; Gene Krier, HR Program Manager, OSEEGIB; and Megan Moody, HR Manager, Career and Technology Education. Over 400 HR professionals attended from across the country and Canada, in addition to several international representatives.

Keynote addresses were provided by Erik Weihenmayer, blind world-class athlete and author of the best-selling book, *Touch the Top of the World*; Paul Dolan, President, Mendocino Wine Company, whose topic was "Leadership and Its Responsibility for the Future"; Dr. Delorese Ambrose, author and expert on emerging workplace issues and diversity, whose topic was "From the Inside Out: How to Lead, Follow and Create from Your Personal Power Source"; and, Gale Rossides, Senior Advisor to the Assistant Secretary, Transportation Security Administration, U.S. Department of Homeland Security, whose topic was "The Building of A Federal Agency—the TSA (Transportation Security Administration) Story".

The 2006 IPMA-HR International Training Conference will be held October 7-11, 2006 at the Flamingo, in Las Vegas, Nevada. Oscar Jackson and Carrie Rohr will serve on the IPMA-HR 2006 Conference Planning Committee.

State HR Official Elected to Posts

Oscar B. Jackson, Jr., Administrator of the Oklahoma Office of Personnel Management and Governor Brad Henry's Cabinet Secretary for Human Resources and Administration, has been elected 2006 President-elect of the International Public Management Association for Human Resources (IPMA-HR). Jackson was also reelected to serve as President of the IPMA-HR Public Human Resources Certification Council. He will assume both positions in January, 2006.

Since 2001, Jackson has served on the IPMA-HR Executive Council representing state human resources, as well as the Certification Council's Board of Directors.

IPMA-HR represents over 6,000 HR professionals in local, state and federal government with more than 50 chapters in the U.S. and international chapters in Thailand, Sri Lanka, and Pakistan.

The Certification Council has granted IPMA-HR "Certified Professional" (IPMA-CP) and "Certified Specialist" (IPMA-CS) designations to over 1,300 public HR professionals in the U.S., Canada, China, Ghana, Korea, Kuwait, Sri Lanka, and the Phillipines. Jackson received the IPMA-CP designation in 2000.

For more information about the International Public Management Association for Human Resources, please visit the IPMA-HR website

at:

www.ipma-hr.org

or contact the organization at:

1617 Duke Street

Alexandria, VA 22314

Phone: (703) 549-7100

Fax: (703) 684-0948

Oscar Jackson Recognized for 35-Years State Government Service



Susan Savage, Oklahoma Secretary of State, presents Oscar B. Jackson, Jr., Administrator of OPM and Cabinet Secretary for Administration and Human Resources, with his 35-year service pin and certificate at OPM's November, 2005 Team meeting.

During the monthly OPM Team Meeting held November 4, 2005, Secretary of State, Susan Savage, presented Oscar B. Jackson, Jr., with a state service pin and certificate in recognition of 35 years state service as of October 26, 2005.

Jackson was employed by The University of Oklahoma for ten years and has been employed by state government for 25 years. He initially served as the first Director of OPM Human Resources Development Services for four years (1980-1984). He then served as Division Administrator of Human Resources Management for the Department of Human Services for six years (1984-1990). Finally, Jackson returned to OPM in 1990 as Deputy Administrator.

He has served as OPM Administrator and Cabinet Secretary of Human Resources and Administration since June 1991. He was initially appointed by Governor David Walters and was subsequently reappointed by Governor Frank Keating and Governor Brad Henry.

Internships Seen as Key to the Future of New College Graduate Hiring

For new college graduates looking to enter the work force, participating in an internship is likely to be even more important in the future than it is now, according to a new study published by the National Association of Colleges and Employers (NACE).

Nearly 1,000 college career services and HR/staffing professionals who participated in NACE's study cited internships as an important issue now; when asked about the importance of such programs in the future, both college and employer respondents said internships would be even more important.

College respondents gave "maintaining or assuming responsibility" for internship and other work-experience programs a current importance rating of 3.9, and rated its future importance at 4.2. (5-point scale, where 1=Not at all important and 5=Extremely important.)

For their part, employers rated the current importance of "identifying talent early" through internships and similar programs at 4.2, and rated its future importance at 4.6-moving such programs toward the "extremely important" end of the rating scale.

"This confirms what we've seen in our other studies," says Marilyn Mackes, NACE executive director. "Over the years, we've seen employers place more emphasis on identifying potential employees through internships. At the same time, we've seen more and more college career centers offer students assistance in finding and winning internship opportunities."

Mackes also noted that internships play a role in another key concern identified by employers through the study: balancing "high-tech" and "high-touch" methods in attracting and hiring college

"We're seeing more and more organizations using technology to streamline the process of sourcing and hiring candidates," she said. "At the same time, they are very conscious of how important it is to treat potential employees as individuals, not numbers. Internships are one way that employers can develop and maintain that personal connection with a potential employee."

The study also surfaced other key issues facing college career services and HR/staffing, including diversity, technology, accountability, and branding.

Executive Summary Available: Complimentary copies of the "The Future of College Recruiting and Hiring Executive Summary," which is 24 pages in length, are available at www.naceweb.org/public/survey/futuretrends2005.htm or through the home page of NACE's web site, www.naceweb.org.

Department of Corrections Hosts “Certified Personnel Professional” Training

Hank Batty, OPM

For the first time since the program began in 1996, a single participating state agency, the Oklahoma Department of Corrections, hosted the Certified Personnel Professional (CPP) training course from September 13 through September 16, 2005, on the campus of Oklahoma State University.

Although the course followed the same basic outline and much of the same content as our earlier classes, we were able to tailor portions of it to specific issues faced by the Department of Corrections,” said Hank Batty, OPM Deputy Administrator for Programs and coordinator of the Certified Personnel Professional training and certification program. He added that, since the DOC has a high percentage of its workforce in the classified service, instructors focused more time on hiring, selection, classification and compensation practices in the Merit System than might be the case in the earlier training classes. Dr. Robert Mathis, co-author of the *Human Resource Management* textbook used in the class, received input prior to the training from DOC managers that allowed him to direct attention to unique challenges confronting the agency in his presentation.

Twenty-seven human resources professionals from throughout the DOC system statewide attended. Linda Parish, Human Resources Manager in the DOC Oklahoma City administrative offices, spoke highly of the training. “It was a wonderful experience. I have heard more positive comments from our HR staff on this training than I would have ever imagined.”

Although no definite date has been set for the next CPP training that will be available to all agency HR staff, it most likely will occur in April of 2006, according to Mr. Batty.

OPM Workforce Planning Manager Receives Award for Graduate Research



The University of Oklahoma Political Science Department recently awarded Austin Gilley, Workforce Planning Manager at the Office of Personnel Management, the Hugh MacNiven Research Paper Award for the most outstanding graduate research paper in public administration for calendar year 2004.

The research paper, “Cities in Oklahoma: The State of Competition”, examined the type of businesses and resulting jobs that cities target as part of their official economic development plans.

Gilley collected data from 49 of Oklahoma’s 127 cities that have a populations greater than 2,500. He recently presented the results at the 2005 Oklahoma Political Science Association’s annual meeting.

“The data suggest cities are collectively targeting tourism and sales-tax producing businesses that in general create lower-paying jobs,” Gilley said.

“This may be indirectly contributing to the state’s lower-than-average wage indicators and the perpetual problems of university graduates leaving the state to find work.” source for general operating funds.

Gilley suggests the reason cities do this might be due to the unique statutory limitation that restricts cities to using only sales-tax revenue for their primary. On the contrary, the state’s economic development initiatives appear to target industries such as manufacturing, technology and health that generally produce higher-paying jobs. The effect is an apparent disconnect in motivation and resulting strategies.

Aside from the overall economic effects, Gilley believes this can indirectly affect human resources management throughout the state.

“For state government, as the largest employer and one that hires a large number of professionals, this could contribute to a smaller labor supply and require more strategic human resources management,” he said. “Add this to the imminent nation-wide demographic shift and it becomes clear that the future will be filled with challenges to efficiently and effectively recruit, select, develop and retain a quality workforce.”

Gilley earned a master’s of public administration from the University of Oklahoma in 2004, and he holds a bachelor’s degree in journalism. He served two years as a Carl Albert Executive Fellow before taking his current position at OPM.

He may be reached at (405) 521-6376 or austin.gilley@opm.state.ok.us.

If you have questions with regard to Merit Rule interpretations, or portions of the Oklahoma Personnel Act under the jurisdiction of the Office of Personnel Management, please contact Chanda R. Graham, Chief Policy Attorney at (405) 522-1736 or chanda.graham@opm.state.ok.us.

Department of Corrections Employee Receives PEP Award

Joyce Smith, OPM

The Productivity Enhancement Program (PEP) continues to reward state employees for the successful implementation of their ideas in state agencies.

The Committee for Incentive Awards for State Employees (PEP) recently approved the nomination of James Arnett, an employee of the Department of Corrections, for a \$3,507.78 award. His suggestion was to remove and replace expensive FX lines at three correctional facilities with more cost-effective telephone lines. Implementation of his suggestion will result in savings to DOC of more than \$14,000 annually.

The PEP Program is the state's official employee suggestion program, and state agencies may nominate employees for awards at any time. The PEP Committee meets as necessary to review nominations. All awards are based on the savings in an agency's budget. There are three types of awards: non-cash, individual, and unit incentive awards.

Changes in the awards process were made by HB 1650 during the 2005 Legislative Session. Awards can be made

for a full year of savings and can be paid in one lump sum payment if the twelve-month period mirrors the fiscal year; or, two single payments can be made over two consecutive fiscal years. Emergency rules reflecting the changes became effective November 1, 2005.

Individual cash incentive awards are given for ideas that save money or generate income for an agency. The award to the employee is a minimum of 25 percent of the savings and can be up to \$10,000, not to exceed the actual savings.

Group awards, called unit incentive awards, are given to divisions, work teams, or entire agencies. They are presented for ideas that reduce the cost of operations without decreasing the level of service. Cash awards may total up to 25 percent of the total savings.

Non-cash awards can be given for any idea, but usually involve improved safety, efficiency, and morale for employees and/or services to customers. Non-cash awards may typically be certificates and/or lapel pins. The awards

are presented at the discretion of the agency head.

For more information about the PEP Program or to receive packets with nomination forms, please contact Joyce Smith, OPM PEP Coordinator, by telephone at (405) 522-3617, or by e-mail at Joyce.Smith@opm.state.ok.us.



From the
Oklahoma Office of
Personnel Management

OPM Agency Services Unit's Agencies on PeopleSoft HRMS

Karen Luman, OPM

OPM's Agency Services Unit (ASU) is responsible for payroll and human resource services for approximately 45 small state agencies throughout Oklahoma. ASU was notified in 2004 that their assigned agencies would be included in Group Two for the CORE Oklahoma Project for PeopleSoft implementation. As of August 2004, this group was online with PeopleSoft HRMS. Payroll information and human resource information, formerly separate processes, became one on the new system. Because of prior research, preparation and documentation of employee information within the 45 agencies, the transition was a smooth and successful one.

It has now been a little over one year

since the implementation of PeopleSoft, and we continue to move ahead with some challenges and many successes. Whether it involves consultation, coaching, or payroll processing, the ASU's goal is to provide a comprehensive and professional human resource service. The ASU is staffed by Marianne Sanchez, HR Management Specialist; Toyna Holman, HR Management Specialist; and, Karen Luman, Supervisor and HR Programs Manager.

The opinions of our customers are of great value to us, and we appreciate the positive feedback received from them. Judi Williams, Assistant Director of the Oklahoma Wheat Commission, said, "I am extremely impressed with the efficiency and expediency with which we

receive information, and the turnaround time is superior." Emmett Goodson, Interim Director, Board of Tests for Alcohol and Drug Influence, stated, "The service that we receive from the Agency Services Unit is great, and they are super to work with." Lisa Smith, Assistant Director of the Oklahoma Commission on Children and Youth, commented, "I have found them to be awesome in response to our agency's needs. They provide professional answers and are always willing to help us."

ASU would like to express our thanks to all of the agencies we serve, and we enthusiastically look forward to serving them in the coming year!

OPM Compensation Team Completes Market Study for Oklahoma Tourism & Recreation Department

Tom Patt, OPM

In January 2005, Oklahoma Tourism and Recreation Department (OTRD) Director Robb Gray contacted OPM Administrator Oscar B. Jackson, Jr. requesting that OPM perform a market study of that agency's unclassified jobs. Director Gray proposed a contract between the two agencies under which OPM would perform the study for a fee.

OPM has performed similar studies in the past for an agency under a fee arrangement. For example, by statute, a market study of classified utility and non-utility jobs at the Grand River Dam Authority is performed biannually and the results presented to the Governor and Legislative leadership.

What was unusual about Director Gray's request was the type of jobs for which OTRD needed market data. Because of OTRD's unique mission – it manages 50 state parks, including 15 parks with cabin facilities and ten golf courses – it employs a wide variety of jobs with specialized skills commonly found in the tourism and hospitality industries. That meant that OPM would have to obtain market data on, among other jobs, housekeepers, desk clerks, lodge managers, and golf course professionals – job categories that are not readily available in most salary surveys.

OPM had preliminary meetings in the spring with OTRD human resources and finance staff members to obtain information on OTRD's expectations for the scope of the study. Subsequently, a formal agreement was drafted that included a statement of work and cost parameters for the study. The study began in earnest in August, when the Compensation team began its search for market data. Attempts were made to match as many of the jobs as possible with State classified jobs. Where such a match could be made, it was usually possible to obtain market data from the OPM FY 2005 Annual Compensation Report. As it turned out, market data for a total of

nine jobs were obtained in this fashion. Three jobs were matched to other survey sources, including a major third party survey and a survey from the Bureau of Labor Statistics. That left 13 jobs for which market data was required. Obtaining this data meant designing a custom salary survey to send to employers with like jobs in the market. Unfortunately, designing a salary survey for this study was complicated by the fact that there were clearly three relevant markets for the jobs: 1) other states whose parks and resorts are managed in a manner similar to Oklahoma's and who are in approximately the same geographic region; 2) hotels, motels, and resorts within the State of Oklahoma; and, 3) municipalities within the State who manage public golf courses

Because these were such diverse groups of employers, three separate and distinct survey instruments had to be designed for each specific subset of jobs. The Compensation staff was up to this challenge, and the three surveys were designed and sent out in short order. Responses were obtained from 12 states, 4 cities, and 4 major hotels. The results showed that the OTRD's pay rates for benchmark jobs were, on average, 21.2 percent below the relevant market.

Director Gray was especially pleased with the survey, stating that the information derived from the study would be used to bring greater compensation parity among the staff. Both agencies feel this study was a success, clearly paving the way for OPM's involvement in future market studies for other state agencies.

**If your agency is need of a compensation survey, please contact Tom Patt
OPM Director Of Compensation
(405) 522-0422
tom.patt@opm.state.ok.us**

Joyce Smith Elected



Joyce Smith was elected to serve as 2006 President of the Oklahoma Society of Certified Public Managers. Her term begins January 1, 2006. Joyce Smith serves in several capacities at OPM, including, *Quality Oklahoma* Coordinator, Productivity Enhancement Program Coordinator, and Human Resources Program Manager.

Governor's Ethnic American Advisory Council Is One-Year Old

Dr. Sandra K. Rana

The Governor's Ethnic American Advisory Council has the distinct honor of having served the Governor and the State of Oklahoma for one year. During the year, the Council created an education subcommittee to support quality education for all Oklahomans.

We have been honored to receive guest speakers from Oklahoma University, Oklahoma State University, the Executive Director of the Oklahoma Historical Society, along with a variety of visitors. In the process we have learned about our past contributions to the state and look toward the future with optimism.

Members of the Council are: Dr. Sandra Kaye Rana, Chair; Marjaneh Seirafipour, Vice-Chair/Secretary; Dr. Riaz Ahmad; Karen E. Bak; Malaka A. El-yazgi; Mohammad J. Farzaneh; Dr. Fayyaz H. Hashmi; Dr. Basel S. Hassoun; and, Dr. Mohammad Karami.

OPM Launches Sick Leave Sell-Back Model Project

Tom Patt, OPM

On August 29, 2005, OPM established a special project to evaluate the concept of providing state employees the ability to sell back a portion of their sick leave balance to their employing agency. This project was established under the authority granted the OPM Administrator in Title 74, Section 840-1.15 of the Oklahoma Statutes to design model human resource projects to test and evaluate the effect of innovative policies, standards and procedures. Consistent with this authority, OPM sent a memorandum to the directors of seven agencies with 24-hour operations, inviting them to participate in the project. The agencies were: Department of Mental Health and Substance Abuse Services, Office of Juvenile Affairs, Department of Veterans Affairs, Department of Corrections, Department of Human Services, Department of Rehabilitation Services, and J.D. McCarty Center for Children with Developmental Disabilities.

State employees currently are able to sell back all or a portion of their annual leave up to the statutory accumulation limit under certain circumstances; namely, when they resign or retire from state service, or when they transfer between agencies (if the receiving agency will not accept the transfer of their entire leave balance). However, until now, the only way they could benefit from unused

sick leave was to receive an equivalent amount of service credit in the calculation of their annuity at time of retirement, up to a limit of six months. This project will permit employees in participating agencies to sell back a portion of their sick leave balances, with the goal of reducing unscheduled leave usage and thereby curbing overtime costs.

The Department of Veterans Affairs approached OPM in early 2005 with the concept of a sell-back program for its direct care employees as a model project. Since the program appeared to have wider application than just one agency, OPM in August 2005 hosted a meeting of agencies with 24-hour operations to discuss the concept of a model project for direct-care type workers. Based on discussions at this meeting, a set of project plan parameters was established, with the following required elements:

- Maximum sick leave to be sold back: 80 hours annually
- Minimum sick leave balance required (additional length of service requirements and higher balances may be required at the option of the agency):
 - Less than 5 years service: 80 hours
 - 5 or more years service: 200 hours
- Sell-back may be at full value or any percentage thereof
- Payments may be made on an annual or semi-annual basis

Each project plan must include outcome measures under which the program's success will be evaluated. Measures must include, as a minimum: number of hours of sick leave used compared with baseline year; turnover rate among affected employees compared with baseline year; and, overtime costs compared with baseline year.

To date, only the Department of Veterans Affairs has submitted a project plan, which has been approved. ODVA's payout will be held in November of next year and will be at full value of sick leave sold. The project will continue for a minimum of two years to allow sufficient time to track and trend results. It is anticipated that more agencies will decide to participate in the future.

This project appears to have several potential benefits to the state. It is expected that the costs to administer the program will be more than offset by the reduction in overtime costs. Moreover, it is anticipated that the cash incentive will assist in reducing the high turnover rate in the direct care job families. Once the project results have been evaluated, the results will be shared with agencies in an All Appointing Authorities Memorandum and/or a future edition of the *HR Exchange*.

Emergency Rules Approved

Chanda R. Graham, OPM

Governor Brad Henry approved emergency amendments to the Merit, Voluntary Payroll Deduction and Productivity Enhancement Program Rules October 6, 2005. Most of the rules became effective October 6, 2005. However, as described below, some had later effective dates. Following is a summary of the approved emergency amendments:

530:10-3-22: This rule was amended to allow coursework approved for training credit for civil rights officers to also be available as training credit for discrimination complaints investigators.

530:10-5-52: This amendment reflects a statutory change from the 2005 legislative session. It provides a review process prior to a demotion pursuant to a position audit or reclassification.

530:10-7-19: This rule was proposed to effectuate The Employees Benefits Council's "OK Health" wellness-mentoring program. This program will be available to all active state employees of participating agencies effective January 1, 2006. The wellness program is designed to lower health care utilization by mentoring employees to better health.

Reducing health care claim costs will help in lowering health care insurance premiums in the long term. EBC started the mentoring program as a pilot in June 2003 with the Department of Human Services. Employees completing one year in the pilot program have lowered health care claim costs by thirty percent.

530:10-7-24: This amendment provides clarification that a skill-based pay adjustment paid as a salary differential may not cause an employee's base pay to exceed the pay band maximum.

Emergency Rules, continued on page 10

Governor's Hispanic Council Presents Awards

Oscar Quiroga



Pictured from left to right: Oscar Quiroga, Chair of the Governor's Advisory Council on Latin American and Hispanic Affairs ("LAHA"); Senator Bernest Cain; and Yolonda Charney, LAHA Council Member and Awards Ceremony Coordinator.

On Monday, October 24, 2005, the Governor's Advisory Council on Latin American and Hispanic Affairs met at the State Capitol in the Governor's Large Conference Room to hold its last meeting for 2005 and conduct its annual Senator Keith Leftwich Outstanding Legislative Awards presentation. The Council established the Senator Keith Leftwich Outstanding Legislative Award in 2003 in memory of Senator Keith Leftwich, a dear friend to the Hispanic community. The awards read: ***In recognition for outstanding support and contribution to issues affecting the Hispanic community in the state of Oklahoma.***

The Council presented awards to the following state leaders: Senator Bernest Cain; Senator Debbe Leftwich; Irma Chajeki, Immigration Director for Catholic Charities; and the Honorable William D. LaFortune, Mayor, City of Tulsa.

Following the awards presentation, the Council began its regular quarterly meeting. Chair Oscar Quiroga acknowledged the following newly appointed members

to the Council: Eloy A. Chavez (Shawnee), Juanita R. Sykes (OKC), Clifford G. Uranga (OKC), Steven J. Valencia (Alva), and Arthur J. Valdez (OKC). Other seated members include Chair Quiroga (OKC), Giovanni Perry (Vice-Chair, Norman), Yolonda Charney (Owasso), Nancy Galvan (El Reno), Sebastian Lantos (Tulsa), Teri Mora (Guymon), and Guillermo Rojas (Tulsa).

Among the issues discussed during this meeting, the Council approved the idea of holding a Summit in 2006. The Council also approved a motion made by member Guillermo Rojas to send a letter to the Norman Chief of Police, Phil Cotten, and Cleveland County District Attorney, Tim Kuykendall, requesting a thorough independent investigation and an effective communication to the community on the matter regarding Ricky Sanchez, a young man who was shot to death by a Norman police officer.

The Council agreed to set January 30, April 24, July 31 and October 30 as regular meeting dates for the upcoming year. The Council adjourned the meeting and is looking forward to a productive 2006.

Emergency Rules, continued from page 9

530:10-13-35: This amendment reflects a statutory change requiring reduction-in-force implementation plans be provided to the Director of State Finance and certain state employee association representing state employees.

530:10-15-11: The amendment to subsection (b)(5) reflects a statutory change allowing for accrual of annual leave above the maximum as long as the excess leave is used during the same calendar year or within twelve months of the date it accrues pursuant to the Appointing Authority's discretion.

The amendment to subsection(b)(8) is to clarify that ***no employee*** that resigns and accepts a subsequent position within the same agency without a break in service of more than thirty days is eligible for payment of accrued annual leave.

530:10-17-31: The amendments to this rule reflect various statutory as well as administrative changes effective 11/01/2005. The rule is amended throughout to reflect a change from the term "service rating" to "performance evaluations".

Subsections(b)(1) – (b)(5) reflect statutory changes to the employee performance management system requirements, such as: inclusion of an agency number, date of review, and employee identification number; identification of accountabilities and behaviors; a mid-term interview; identification of performance strengths and areas for development; and, a final interview.

Subsection (c) has been amended to require that probationary employees be rated at least 30 days prior to the end of probation and employees be evaluated for a period of no more than twelve months. The amendments also provide that supervisors may perform as many evaluations as deemed necessary to manage performance.

Subsection (i) reflects a statutory change requiring the Administrator to conduct annual random audits of state agencies to determine compliance.

Agency HR Staff Changes Since 08/05

Commissioners of the Land Office

Hilarie Fite, Personnel Officer

District Attorneys Council

Carla Root, Payroll Officer

Oklahoma Department of Health

Terese Hackworth, HR Management Specialist

Kelley Harrold, Administrative Assistant

Angela Manning, HR Management Specialist

Christopher Mason, Administrative Technician

Oklahoma Department of Human Services

Rizqa Baluyut, HRMD Operations

Carla Chatman, HRMD Employment Services

Resigned

Christian Co, HRMD Operations

Christine Dennis, HRMD Employee Relations

Resigned

Gary Hampton, HRMD Employment Services

Jacqueline Haskins, HRMD Employment Services

Tamar Hinton, HRMD Operations

Jeff Pritchard, HRMD Benefits

Oklahoma Department of Public Safety

Mary Ann Allee, Benefits

Janet Hernandez, Payroll

Jerry Metcalfe, HR Director

Oklahoma Department of Rehabilitation Services

Linda Quinton, HR Management Specialist (Intra-Agency Transfer to DDD)

Oklahoma Merit Protection Commission

Brenda Marr, HR Officer

(Retired)

Oklahoma Office of Juvenile Affairs

Mary J. Hamilton, HR Management Specialist

(Resigned)

Susan McCollom, HR Management Specialist

Herbert Molyneux, HR Management Specialist

Judy Pinney, HR Management Specialist

Oklahoma Office of Personnel Management

Carolyn J. Fryar, HR Assistant, Testing

Justine D. Heard, HR Management Specialist,

Personnel Assessment

Dayna R. Petete, Assistant Administrator for

Communications and Legislative Liaison

(Deceased)

Oklahoma Office of State Finance

Laurie Gallely, HR Specialist

Oklahoma State Insurance Department

Angie Fields, HR Assistant

Will Rogers Memorial Commission

Steven K. Gragert, HR Director

All Appointing Authorities Memos Since 08/05

OPM 05-37 (08/29/05)

*Voluntary Payroll Deduction Program Agency
Access Reminder*

OPM 05-38 (09/06/05)

*Revision to List of Organization and Policies
Approved for State Employees' Voluntary
Payroll Deductions*

OPM 05-39 (09/14/05)

*Employment Eligibility Verification (Form I-
9) for Hurricane Katrina Victims*

OPM 05-40 (09/28/05)

*Revision to List of Organization and Policies
Approved for State Employees' Voluntary
Payroll Deductions*

OPM 05-41 (09/29/05)

*Clarification on Title 74, 1344(G) Regarding
One-Day Employee Benefit Information Meet-
ing*

OPM 05-42 (09/30/05)

*Emergency Amendments to the Oklahoma
State Charitable Campaign Rules*

OPM 05-43 (10/11/05)

*Revision to List of Organization and Policies
Approved for State Employees' Voluntary
Payroll Deductions*

OPM 05-44 (10/13/05)

*Revision to List of Organization and Policies
Approved for State Employees' Voluntary
Payroll Deductions*

OPM 05-45 (10/21/05)

*Office of Personnel Management FY 04 An-
nual Report*

OPM 05-46 (10/25/05)

*Revision to List of Organization and Policies
Approved for State Employees' Voluntary
Payroll Deductions*

OPM 05-47 (10/25/05)

*Emergency Amendments to the Merit Rules for
Employment*

OPM 05-48 (10/25/05)

*Emergency Amendments to the Productivity
Enhancement Program ("PEP") Rules*

OPM 05-49 (10/25/05)

*Emergency Amendments to the Voluntary
Payroll Deduction ("VPD") Rules*

OPM 05-50 (10/28/05)

*Revision to List of Organization and Policies
Approved for State Employees' Voluntary
Payroll Deductions*

CAPIP News

Executive Fellows Hired

Cyndy Kyle

East Central University

Department of Rehabilitation Services

Christina Reininger

University of Arkansas at Little Rock

Department of Rehabilitation Services

Undergraduate Interns Hired

Judith Russell

University of Phoenix

Group Insurance Board (OSEEGIB)

Hired From Register

Sbeila Denson

Langston University

Department of Rehabilitation Services

Undergraduate Agreement Ended

Isaiab Olateru

University of Oklahoma

Group Insurance Board (OSEEGIB)

CAPIP Stats

38 Executive Fellows and **6** Undergraduate Interns are currently working in **15** different state agencies. Current Executive Fellows and Undergraduate Interns attend **ten** colleges and universities. The CAPIP applicant pool consists of **19** graduate students and **24** undergraduates.

The Oklahoma Board of Licensed Alcohol and Drug Counselors Issue First Licenses

Robert L. Stevens, OPM

Robert L. Stevens, OPM Coordinator of the Oklahoma Employee Assistance Program, recently received the second Alcohol and Drug Counselor license issued in the State of Oklahoma by the newly legislative formed Oklahoma State Board of Licensed Alcohol and Drug Counselors. Mr. Stevens currently serves as the Vice Chairperson for this Board.



"I find this an honorable action being among the first ten people to hold this license," remarked Mr. Stevens. "When I received my license it took me back to the people who had a vision that one day we would be at the point we are today — a professional licensure for Drug and Alcohol Counselors. There are too many individuals to name but a few that come to mind are Jack Way, Reverend Dick Virtue, Lydia Norie, Al Roberts, Paul Attocknie, Judy Bush and Jack Clements, and of course Dennis Auld who did a lot of work on the legislation.

To a lot of people this may not seem important, but I am very proud to be a member of this Board and even prouder to be part of a profession that serves those individuals and their families to ensure they receive the best service they can get. I am also grateful to the Oklahoma House and Senate for passing this law and to Governor Henry for signing this bill allowing it to become law."

December 2005

Oklahoma Academy 2005 Town Hall Meeting Topic: "Drugs: Legal, Illegal . . . Otherwise"

Robert L. Stevens, OPM

Warren Thompson and Robert L. Stevens, both OPM Employee Assistance Program Coordinators, were selected as participants of the 4-day 2005 Town Hall meeting of the Oklahoma Academy that took place October 23—26, 2005. The meeting was held at the National Employee Development Center in Norman, Oklahoma, also known as the U.S. Postal Training Center. The Oklahoma Academy (the "Academy") is the brainchild of former Governor Henry Bellmon. The Oklahoma Academy is a private nonpartisan organization that identifies issues that concern and effect the future of Oklahoma and promotes public consideration of the issues, developing recommendations for policy and supporting its implementation.

The topic of the 2005 Town Hall meeting was "Drugs: Legal, Illegal

...Otherwise". Town Hall participants were invited to participate in the meeting after a formal nomination and selection process. Discussions involved both legal and illegal drug use and/or abuse and the effects of both on society as a whole, including legalization and decriminalization with regard to the use of some illegal substances. Participants in the discussions were from both the private and public sectors across the state, including members of the legislature. Participants were divided into four groups and given the same questions for discussion and recommended actions.

This year, guest speakers included the Honorable Brad Henry, Governor of the State of Oklahoma and the Honorable Drew Edmondson Attorney General of the State of Oklahoma.

10th Circuit Reviews FMLA "Serious Health Condition"

Chanda Graham, OPM

The 10th Circuit recently upheld a Colorado district court's grant of summary judgment in the Defendant's favor in an Family and Medical Leave Act ("FMLA") interference claim. In the case of Jones v. Denver Public Schools et al., Mr. Jones was a telecommunications technician with the Denver Public schools. According to his co-workers, since beginning his employment in May, 1999, Mr. Jones had regularly abused the sick leave policy. Fortunately for Mr. Jones, up until June, 2001, he worked under the supervision of his father. After the supervisory change, in October, 2001, problems arose.

October 1, 2001, Mr. Jones called in sick because he had fallen in his home and aggravated a pre-existing back injury. He called in sick Monday and Tuesday, stayed at home, and self-medicated himself with Ibuprofen. He had not called a doctor up to this point. When Mr. Jones called in sick Wednesday, his supervisor informed him that he would have to bring a note from his doctor when he returned to work. As

such, Mr. Jones made a doctor's appointment for Thursday, October 4, 2001, at which time, the doctor gave him a cortisone shot and provided that Mr. Jones be off work from October 1 through October 5, 2001 "due to a wrenched back."

By Sunday morning, October 7, Mr. Jones' back pain had subsided to the point he felt well enough to work, however, he became sick with the flu and called in sick for Monday and Tuesday, October 8 and 9, 2001. When Mr. Jones reported to work on Wednesday, October 10, 2001, he was terminated. He visited with his physician again on October 24, 2001, at which time, the doctor made a passing reference to the fact that Mr. Jones' back was improving.

The district court granted summary judgment on Mr. Jones' FMLA interference claim after determining that he was not terminated for attempting to exercise his FMLA rights.

10th Circuit, continued on page 14

CORE/PeopleSoft HRMS Update

Diane Haser-Bennett, OPM

According to OSF Director, Claudia San Pedro, since July, 2005, 106 state agencies, representing 10,000 employees, have been on the new PeopleSoft system. The remaining 23 agencies are scheduled to be on the system by April 2006.

The Office of Personnel Management was one of the early agencies converted and has been utilizing the PeopleSoft system since July, 2003. With the addition of the implementation Group 3 agencies in April of this year, the staff of the OPM's Management Services Department have been busy working with the CORE HRMS team and the 106 agencies currently online to ensure a successful transition.

OPM staff is currently completing all transactional audits on the PeopleSoft system. This allows agencies using the PeopleSoft HRMS to print their own OPM-14s for finalization of all approved transactions.

In October, the CORE group established focus groups inviting 15 current

user agencies to provide feedback on the system. This group is scheduled to meet once a month for the next 6 months. A survey was also distributed to all agencies to gather additional information on current experience with the PeopleSoft system in an attempt identify and resolve current issues. This will also assist in the transition of the remaining agencies. The Core HRMS team also converted employees' compensation from monthly to annual on October 1.

Refresher training was initiated November 1 and will conclude December 13. This training is for current users and is identifying good business processes, performance tips, and other changes identified since implementation of the system. Design reviews were conducted with the remaining 23 agencies that will be added to the PeopleSoft HRMS next spring on No-

vember 14-17.

The Q & A from these sessions can be found on the CORE website at www.ok.gov/coreoklahoma. Data extracts are to be completed early in December, which will allow the 23 remaining agencies the opportunity to review the data in the current legacy system for accuracy. The current user agencies have stressed in the feedback sessions the importance of correcting all discrepancies in the legacy system prior to conversion to the new PeopleSoft HRMS. This one critical task has significant impact on the success and effort required post implementation on the new system. New information can be found on the website as it becomes available.



November 17 Design Review meeting conducted by CORE PeopleSoft HRMS team.

OPM Automates EEO-4 Report

Brenda Thornton, OPM

OPM's new EEO-4 automated program allows state agencies to both complete and submit their EEO-4 reports online. The program then creates a cumulative report from the data provided by agencies' input and submits an automated report to the U.S. EEOC office in Washington, D.C.

The automated program was first introduced and demonstrated during summer 2005 Affirmative Action training sessions conducted by Bernie Buchenau, OPM Information Systems Applications Specialist and creator of the program, and Brenda C. Thornton, Director, OPM Office of Equal Opportunity and Workforce Diversity (EOWD).

Prior to implementation of this program, agencies submitted paper copies

of their statistics and OPM had to input the data into a format required by the federal government, a process that took several weeks to complete. It is now possible for larger agencies to compile the required information, input the data, and submit the completed report to OPM in less than three hours. Smaller agencies are able to complete the process in even less time.

The EEO-4 report or *State and Local Government Information Survey Report* is mandated by federal law and requires all Oklahoma state agencies (excluding institutions of higher education, elected officials, and appointed Cabinet officials) to submit the report by September 1 of every odd-numbered year. The report evaluates agencies and employees based on employment status: full time, other

than full time, or new hire; ethnicity; gender; and, salary.

"The program was relatively easy and painless to use," said Jim Bratkovich, EEO Officer for the Office of State Finance, an agency with an FTE of 129 employees. "I had my numbers in front of me and, after Bernie walked me through the process, I was through in less than 45 minutes."

Since implementation of the program, OPM no longer accepts paper copies of the EEO-4 report. When asked if he wanted to go back to the old way of submitting this report, Bratkovich responded with an emphatic "No!" and then added, "This was so much easier to deal with!"

Ramadan, The Month of Tolerance, Observed

Dr. Sandra K. Rana



Pictured from left to right: Malaka Elyazgi, Council Member; Dr. Mohammad Karami, Council Member; Governor Brad Henry; First Lady Kim Henry; Marjaneh Seirafi-Pour, Vice-Chair/Secretary of Council; Dr. Sandra K. Rana, Chair of Council; Mohammad Farzaneh, Council Member; and, Oscar Jackson, OPM.

On Tuesday, November 1, 2005, the Governor's Ethnic American Advisory Council hosted its annual Iftar dinner at the Governor's Mansion. The Council's honored guests included Governor Brad Henry and First Lady Kim Henry; Oscar B. Jackson, Jr., OPM Administrator and Cabinet Secretary of Human Resources and Administration; and Linda Williamson, OPM staff member.

It is important during Ramadan to break the day-long fast with community, family, friends and neighbors; to share in the blessings that have been given by God to each of us; and, to remember those less fortunate. It is also a time to remember those who are no longer with us. Included in those remembered was Dayna Petete from OPM who provided much support to the Governor's Ethnic American Advisory Council.

Dr. Imad Enchassi addressed the dinner guests with reflections about Ramadan, the Month of Tolerance. Governor Henry honored the Council by recognizing Dr. Zuhdi, M.D., and inviting him to speak to the gathering. Dr. Zuhdi has

made significant contributions in the field of heart transplant and interfaith dialogue, and is in the Oklahoma Hall of Fame.

As it was noted in the welcoming greetings, ethnic Americans came to the Oklahoma territory as farmers and merchants seeking a better life. As we enter the 21st century, ethnic Americans have become interwoven into the rich fabric of the Sooner state. Ethnic Americans are your neighbors, doctors, teachers, and business owners; your students, engineers, attorneys, and builders of homes and industries; your PTA members, scoutmasters, community volunteers and, yes, soldiers and Blue Star Mothers. We are all honored to be called Sooners!

The evening concluded with a presentation to the Governor and First Lady with a special gift to remember the evening. Mr. Zahid Perwaiz, on behalf of the Governor's Ethnic American Advisory Council, presented them with two glass vases, hand-painted with Koranic verses from the oldest mosque in China.

10th Circuit, continued from page 12

However, on review, the 10th Circuit affirmed the district court's decision, but on a different basis.

The 10th Circuit reviewed the statutory definition of "serious health condition" and determined that Mr. Jones' back condition did not rise to the level of a "serious health condition" that would require FMLA protections. Specifically, the court looked at 29 U.S.C., § 2611(11), which defines a "serious health condition" as "an illness, injury, impairment, or physical or mental condition that involves (A) inpatient care in a hospital, hospice, or residential medical care facility; or (B) continuing treatment by a health care provider." The court went further and reviewed the Department of Labor's regulatory definition of what constitutes "continuing treatment by a health care provider."

Title 29 CFR § 825.114(a)(2)(i) defines "continuing treatment by a health care provider" as "[a] period of incapacity . . . Of more than three consecutive calendar days, . . . That also involves" (A) Treatment two or more times by a health care provider . . . ; or (B) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider." The regulations go on to state that "treatment" consists of both "examinations to determine if a serious health condition exists and evaluations of the condition." However, a "regiment of continuing treatment" includes "a course of prescription medication . . . or therapy requiring special equipment. . . ." The regulation specifically excludes regimens of treatment that consist of only over-the-counter medications, bed rest, fluids or exercise.

The 10th Circuit concluded that because the second of Mr. Jones' two visits to the doctor "took place more than two weeks after his back pain and 'period of incapacity' had subsided, his condition did not fit the definition of "serious health condition" provided in both the statute and the regulations.

The decision in this case was issued Nov. 2, 2005.