



**STATE OF OKLAHOMA
OFFICE OF PERSONNEL MANAGEMENT**

"Serving Equal Opportunity Employers"

OPM 03-12

DATE: April 2, 2003
TO: All Appointing Authorities
FROM: Oscar B. Jackson, Jr., Administrator and
Cabinet Secretary of Human Resources and Administration
RE: Trial Period on Intra-Agency Lateral Transfer

House Bill 1384, signed by Governor Frank Keating on May 30, 2002, resulted in a change to Title 74, O. S., Section 840-4.12, requiring that employees serve a six month trial period following an intra-agency lateral transfer, unless the trial period is waived, in writing, by the appointing authority.

As a result of a recent inquiry, the Office of Personnel Management has reviewed the statutory provisions of this requirement, including the applicable definitions of intra-agency transfer and lateral transfer. An intra-agency transfer is defined as a move within an agency either with or without reclassification, and a lateral transfer is a reassignment to another state job with the same pay band assignment. Based on this, it is our conclusion that the provisions of Section 840-4.12 apply equally to either an intra-agency transfer which includes a change in an employee's job classification to another job family level with the same pay band assignment or to another job/position without a change in job classification. As a result, a trial period would be required. (The exception to this rule would be when an employee is reclassified to a higher level within the same job family which has been defined as a promotion.) Agencies that do not wish to use the required trial period have the option of waiving it, in writing, as provided by law.

Any questions regarding this issue may be referred to your agency liaison in the OPM Classification Division.

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human resource services to our partner agencies to achieve their missions."*