

TITLE 530. OFFICE OF PERSONNEL MANAGEMENT

CHAPTER 10. MERIT SYSTEM OF PERSONNEL ADMINISTRATION RULES

**SUBCHAPTER 17. EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM
AND CAREER ENHANCEMENT PROGRAMS**

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PART 1. GENERAL PROVISIONS

530:10-17-1. Purpose

The purposes of the rules in this Subchapter are to establish policies and procedures pertaining to employee performance appraisal systems and the state personnel interchange program. The rules in this Subchapter apply to both the classified and unclassified services.

PART 3. PERFORMANCE EVALUATION SYSTEM

530:10-17-30. [RESERVED]

530:10-17-31. Employee performance management system [EMER. EFF. 11/01/05]

(a) *The Office of Personnel Management shall make available one standard performance management system that shall be used by all agencies for completing employee performance evaluations. The purpose of this employee performance management system is to evaluate the performance of each classified, unclassified and exempt employee in the executive branch of state government except those in the exempt unclassified service as specified in paragraphs 1 and 2 of subsection A of Section 840-5.5 and those employees employed by the institutions under the administrative authority of The Oklahoma State System of Higher Education [74:840-4.17(A)].*

(b) *The employee performance management system shall provide for the following:*

- (1) *An objective evaluation by the immediate supervisor of the performance of the employee within the assigned duties of the job. The evaluation shall contain the agency number, date of review, and employee identification number;*
- (2) *The identification by the immediate supervisor of accountabilities and behaviors upon which the employee will be evaluated;*
- (3) *A mid-term interview with the immediate supervisor for the purpose of discussing the progress of the employee in meeting the accountabilities and behaviors upon which the employee will be evaluated;*
- (4) *Identification of performance strengths and performance areas for development;*
- (5) *A final interview with the employee by the immediate supervisor who shall provide the employee with a copy of the performance evaluation; and*
- (6) *The opportunity for the employee to submit written comments regarding the performance evaluation. [74:840-4.17].*

(c) Each classified employee in probationary status shall be rated at least thirty days prior to the end of the probationary period. All unclassified and permanent classified employees not otherwise exempt from this requirement shall have an evaluation period of no more than twelve months.

Supervisors may perform as many additional evaluations as they deem necessary in order to effectively manage the performance of a subordinate.

(d) The immediate supervisor shall hold a meeting in person with the employee at least three times during a 12-month evaluation period.

(1) One meeting shall take place at the beginning of the evaluation period in order to communicate the accountabilities and behaviors upon which the employee will be evaluated. A copy shall be provided to the employee.

(2) One meeting shall take place during the rating period for the purpose of discussing the progress of the employee in meeting the accountabilities upon which the employee will be evaluated.

(3) One meeting shall take place at the end of the review period to provide the final evaluation. A copy of the evaluation shall be provided to the employee, and the employee shall have the opportunity to provide written comments.

(e) *The agency shall use the performance evaluations of current or former state employees in decisions regarding promotions, appointments, demotions, performance pay increases, and discharges. Reductions-in-force shall not be considered discharges* [74:840-4.17].

(f) *The agency shall retain a copy of the performance evaluation for each employee of the agency. A copy of the performance evaluation shall be-retained in the employee's personnel file* [74:840-4.17].

(g) The basic document to be used in conducting performance evaluations is the Performance Management Process form (OPM-111), a form prescribed by the Administrator. The form contains spaces for the supervisor to describe a list of accountabilities on which the employee will be evaluated. The form also lists behaviors on which state employees will be evaluated. The form provides spaces for the supervisor to enter an overall accountability rating, an overall performance rating, and a summary/development plan. The form requires signature by the employee, the supervisor, and the reviewer.

(h) On or before each March 31st, Appointing Authorities shall report their agency's compliance with the requirements of 74:840-4.17 to the Administrator. The report shall be conveyed on a form prescribed by the Administrator and shall include information from the most recent annual review period used by that agency.

(i) *The Administrator of the Office of Personnel Management shall conduct an annual random audit of state agencies to determine whether they are in compliance with this section (840-4.17). Any agency*

deemed to be out of compliance shall submit a written plan to the administrator detailing the efforts the agency will make to come into compliance at the earliest possible date [74:840-4.17].

PART 5. STATE PERSONNEL INTERCHANGE PROGRAM

530:10-17-50. Purpose

The purpose of the rules in this Part is to implement the public policy stated in the State Personnel Interchange Program, Sections 840-3.9 et seq. of the Oklahoma Personnel Act.

530:10-17-51. State personnel interchange program policies [REVOKED]

530:10-17-52. State personnel interchange agreements and contracts

Employee interchanges made in accordance with the Act and the Merit Rules shall be executed by mutual agreement or contract by the sending agency, the receiving agency and the participating employee, subject to the following conditions and provisions:

(1) The agreement or contract shall be in the standard format and on the standard form provided by the Office of Personnel Management. Both the personnel interchange agreement and the personnel interchange contract contain information regarding the terms and conditions of the interchange and are signed by the Appointing Authority of the sending and receiving agencies and by the participating employee. Employee interchanges shall be by agreement if the receiving agency does not reimburse the sending agency and by contract if the receiving agency reimburses the sending agency.

(2) The agreement or contract shall be signed voluntarily by the sending agency, the receiving agency, and the participating employee.

(3) The receiving agency shall submit an original agreement or contract signed by the Appointing Authorities of the sending and receiving agencies and the participating employee to the Office of Personnel Management. The Administrator shall review and approve each agreement or contract before the effective date of the interchange.

PART 7. CARL ALBERT PUBLIC INTERNSHIP PROGRAM

530:10-17-70. Purpose

(a) The rules in this Part establish policies and procedures to implement the Carl Albert Public Internship Program in accordance with Sections

840-3.2 through 840-3.7 of Title 74 of the **Oklahoma Statutes**.

(b) The Carl Albert Public Internship Program consists of Executive Fellows internships and undergraduate internships. *The purposes of the program shall be to assist students at institutions of higher education in gaining experience and knowledge in state government and to encourage recruitment of such students to pursue careers in state government service* [74:840-3.2]. The rules governing the program apply to both merit system and non-merit system employing agencies.

(c) This part contains **3** groups of Sections:

(1) Section 530:10-17-74 pertains only to Undergraduate Internships,

(2) Sections 530:10-17-75 and 530:10-17-84 pertain only to Executive Fellows Internships, and

(3) Sections 530:10-17-77 through 530:10-17-82 pertain generally to the Carl Albert Public Internship Program.

530:10-17-71. [RESERVED]

530:10-17-72. Carl Albert Public Internship Program Advisory Committee; organization and meetings [EXPIRED]

530:10-17-73. [RESERVED]

530:10-17-74. Undergraduate internship program [EMER. EFF. 01/24/05]

(a) **Eligibility.** The undergraduate internship program consists of temporary positions for students enrolled in institutions of higher education and working toward an undergraduate degree [74:840-3.4(A)(1)]. To be considered for eligibility determination, applicants shall have completed at least **24** semester hours of coursework with at least a **2.5** cumulative grade point average on a **4.0** scale. Applicants shall follow the procedures in 530:10-17-77 for eligibility determination.

(b) **Conditions of employment.** Participants in the Undergraduate Internship Program who receive internship appointments shall:

(1) be employed in accordance with paragraph 8 of Section 840-5.5 of Title 74 of the Oklahoma Statutes, for not more than 2 semesters or 999 hours,

(2) continue making progress toward an undergraduate degree,

(3) maintain the grade point average set out in (a) of this Section, and

(4) complete the training requirements described in (d)(3) of this Section.

(c) **Benefits.** Undergraduate interns shall not be eligible for paid leave, or health and retirement benefits.

(d) **Responsibilities of appointing authorities.**

(1) The Appointing Authority or designee shall ensure that the intern provides written verification to the Office of Personnel Management that the intern is:

(A) continuing to make progress toward an undergraduate degree during each semester employed, and

(B) maintaining the grade point average set out in (a) of this Section.

(2) If this information is not transmitted to the Office of Personnel Management within **30** days after the end of the previous semester, the Administrator shall notify the Office of State Finance and the Appointing Authority of the termination of the internship agreement in accordance with Section 530:10-17-82(a).

(3) Each Appointing Authority shall provide a minimum of 4 clock hours of job-related training for undergraduate interns during the internship, in addition to the training coordinated by the Administrator, and shall provide verification to the Office of Personnel Management of the completion of the training requirements.

530:10-17-75. Executive Fellows program [EMER. EFF. 01/24/05]

(a) **Eligibility.** An Executive Fellows Program consists of six-month to two-year placements in professional or managerial level positions for students [74:840-3.4(A)(2)]. No person is eligible to participate in the Executive Fellows program for more than **2** years. To be considered for eligibility determination, applicants shall have completed a baccalaureate degree and at least **6** semester hours of graduate level coursework with at least a **3.0** grade point average on a **4.0** scale [74:840-3.4(A)(1)] or a **7.0** on a **12.0** scale in all graduate level coursework. Applicants shall follow the procedures in 530:10-17-77 for eligibility determination.

(b) The Administrator may waive the completion of **6** semester hours of graduate level coursework required by subsection (a) of this section for **1** semester, if:

(1) An individual currently employed by a state agency as a Carl Albert Public Internship Program undergraduate intern provides written verification to the Office of Personnel Management that he or she has:

(A) completed an undergraduate degree, and

(B) is enrolled in **6** semester hours of approved graduate level work; and

(2) The Appointing Authority or designee of the agency where the undergraduate intern is

currently employed certifies in writing on a form provided by the Office of Personnel Management that the agency intends to employ the undergraduate intern as a Carl Albert Public Internship Program Executive Fellow immediately upon the undergraduate intern's completion of an undergraduate degree.

(c) The appointment of an Executive Fellow in accordance with subsection (b) is not effective until the Administrator approves:

(1) the waiver of the 6 semester hours of graduate level coursework; and

(2) an Executive Fellow agreement form prepared by the Appointing Authority in accordance with 530:10-17-77(f).

(d) At the end of the semester for which the waiver of the 6 semester hours of graduate level coursework was approved by the Administrator pursuant to subsection (b), the individual employed as a Carl Albert Public Internship Program Executive Fellow shall meet the eligibility requirements in subsection (a) of this section or be removed from the Carl Albert Public Internship Program. [74:840-3.5]

(e) **Conditions of employment.** Participants in the Executive Fellows Program who receive internship appointments shall:

(1) be appointed in accordance with paragraph 10 of Section 840-5.5 of Title 74 of the **Oklahoma Statutes** [74:840-3.5(4)],

(2) be granted leave benefits commensurate with regular state employees [74:840-3.5(4)],

(3) be enrolled in the state health insurance and retirement benefits programs, if expected to work one thousand (1,000) or more hours per year,

(4) continue to make scholastic progress toward their graduate degrees during each fall and spring semester until completion of all graduate degree requirements,

(5) maintain the grade point average set out in (a) of this Section, and

(6) complete the training requirements described in (c)(3) of this Section.

(f) Responsibilities of appointing authorities.

(1) The Appointing Authority or designee shall ensure that the intern provides written verification to the Office of Personnel Management that the intern is:

(A) continuing to make scholastic progress toward a graduate degree, until completion of all graduate degree requirements, and

(B) maintaining the grade point average set out in (a) of this Section.

(2) If this information is not transmitted to the Office of Personnel Management within 30 days after the end of the previous semester, the

Administrator shall notify the Office of State Finance and the Appointing Authority of the termination of the internship agreement in accordance with Section 530:10-17-82(a).

(3) Each Appointing Authority shall provide a minimum of 8 clock hours of job related training for Executive Fellows during each 6-month period, in addition to the training coordinated by the Administrator, and shall provide verification to the Office of Personnel Management of the completion of the training requirements.

(4) Each Appointing Authority shall rate the performance of participants in the Executive Fellows Program in accordance with Section 840-4.17 of Title 74 of the Oklahoma Statutes. [74:840-3.4]

530:10-17-76. [RESERVED]

530:10-17-77. Application form and procedure [EMER. EFF. 01/24/05]

(a) **Application form and applicant survey form.**

(1) The Carl Albert Public Internship Program application is available from the Office of Personnel Management. The application form provides information about the application process and eligibility requirements. It solicits information about applicants and their qualifications for participation in the program.

(2) Applicants may apply at any time.

(3) An applicant may complete a voluntary survey form which solicits information related to demographics, including race or ethnic group, and disabilities. The information shall be used for statistical purposes only.

(b) **Communication with the Office of Personnel Management.** Interested persons may direct communications to the attention of the Carl Albert Public Internship Program in accordance with 530:1-1-12.

(c) **Application procedure.** Applicants for the internship program shall provide the following information to the Office of Personnel Management for review and determination of eligibility:

(1) A completed and signed application form;

(2) Transcript(s) of coursework from accredited higher education institutions;

(3) A letter of nomination from a faculty member of the higher education institution where they are enrolled;

(4) A letter of recommendation from the current Appointing Authority, if the applicant is a state employee [74:840-3.4(C)];

(5) A resume;

(6) Three letters of recommendation from persons other than relatives or the nominating faculty member;

(7) Verification of current enrollment.

(d) **Notification.** The Administrator shall notify applicants if the documents they submit are sufficient for eligibility. A notice of eligibility does not mean the applicant will be employed as an intern.

(e) **Length of eligibility.** Applicant information on file at the Office of Personnel Management shall remain active if eligible applicants submit verification of current enrollment and an updated transcript each semester. If applicants fail to provide updated information within 90 days after the end of the previous semester, they will no longer be eligible for employment as an intern and their names will be removed from the list of eligible applicants made available to state agencies.

(f) **Appointment.**

(1) The Administrator shall provide a list of all eligible applicants for the Carl Albert Public Internship Program to state agencies periodically and at an agency's request. An agency may request an eligible applicant list and copies of individual eligible intern files at any time.

(2) An agency may appoint any eligible applicant after the Administrator has approved a completed Carl Albert Public Internship Agreement Form described in (3) of this subsection. A new form shall be completed if there are any substantive changes to the original agreement.

(3) The Administrator shall provide the internship agreement form to state agencies. The form solicits information about the employing agency, the Executive Fellow or Undergraduate Intern, and the internship faculty member. The form provides information regarding employment, benefits, training, work schedules, duties, compensation, and projected length of internship. Before an eligible applicant enters on duty, the agreement form shall be completed and signed by:

(A) The eligible applicant;

(B) The Appointing Authority or designee of the employing agency, who shall certify that the internship appointment does not contravene any provision of the Oklahoma Personnel Act or the Merit Rules;

(C) The college or university faculty member who shall monitor the internship; and

(D) A representative of the Administrator.

(4) All intern appointments are made at the discretion of the Appointing Authority. Executive Fellows will count against an agency's full-time-equivalent employee limit if an agency retains them after the internship time period is completed.

(5) The signature of the faculty member shall not be required when a Carl Albert Executive Fellow who has already completed his or her degree requirements is completing a new agreement form.

(g) **State employees.** State employees may apply to participate in the Carl Albert Public Internship Program. Permanent classified and regular unclassified employees who receive internship appointments may request leave without pay from their permanent or regular employment in accordance with 530:10-15-47, **Leave of absence without pay.** Probationary employees and regular unclassified employees with less than 12 months continuous service shall resign before entry-on-duty as an intern.

530:10-17-78. Appointment [EXPIRED]

530:10-17-79. [RESERVED]

530:10-17-80. General conditions of employment [EMER. EFF. 01/24/05]

(a) **No expectation of continued employment.**

(1) Persons participating in the Carl Albert Public Internship Program shall be employed in the unclassified service of the state in accordance with Section 840-5.5 of Title 74 of the **Oklahoma Statutes** and Sections 530:10-17-74 and 530:10-17-75.

(2) An intern has no right or expectation of continued employment in any classified or unclassified position with the state because of participation in the Carl Albert Public Internship Program.

(b) **Compensation plan for interns.**

(1) The employing agency shall establish compensation plans that include rates of pay for Carl Albert Public Internship Program positions which are consistent with positions having like duties and responsibilities within the agency.

(2) The Administrator may establish job descriptions for interns in accordance with Section 530:10-5-8.

(3) Carl Albert interns who are not exempt from the provisions of the Fair Labor Standards Act (29 U.S.C. 201 et seq.) are subject to its overtime provisions and 530:10-7-12.

(4) Salary adjustments may be made in accordance with Section 840-2.17 of Title 74 of the **Oklahoma Statutes.**

(c) **Report of work performance to educational institution.** The Appointing Authority or designee of the employing agency shall provide the internship faculty member with information necessary to evaluate the intern's work experience for academic purposes at the faculty member's request.

(d) **Intercession by the Office of Personnel Management.** The Office of Personnel Management may intercede in an internship if the Office determines, at the request of the intern, the agency, or the institution of higher education at which the intern is enrolled, that an internship is not functioning [74:042-3.5(8)] in accordance with the rules in this Part, and the individual internship agreement. The intercession process may include, but is not limited to the following actions: modification of certain agreement terms, reassignment, and separation or early release from the internship.

(e) **State employees; continuation of benefits.** State employees leaving classified or exempt positions in state government in order to take an internship shall continue to receive all fringe benefits they would have received in their previous classified or exempt positions [74:840-3.5(2)].

(f) **Training requirements.** Each intern shall complete the training requirements prescribed by the employing agency and the Administrator.

530:10-17-81. [RESERVED]

530:10-17-82. Carl Albert Public Internship Program; termination of internship

(a) **Termination of internship agreement and separation.** An agency may continue to employ a person as an intern only during the period of the internship agreement as provided by the rules in this Part. The agency, the intern, or the Administrator may terminate the internship agreement at any time without notice. The agency may separate the intern with or without cause.

(b) **Voluntary exit evaluation.** Carl Albert interns may complete a confidential voluntary exit survey at the end of the internship. Survey forms provided by the Administrator shall solicit information such as program strengths and weaknesses, and recommendations for improvement.

(c) **State employees; right of return and recall to previous position.**

(1) State employees *leaving classified or exempt positions in state government in order to take an internship shall have the right to return to the previous position at any time during the internship or upon completion of the internship* [74:840-3.5(2)].

(2) The Appointing Authority may require a state employee participant to return to the original state agency position before the internship termination date stated on the agreement form. The employee shall be notified by certified mail and given 7 calendar days to return to work. The notification shall include reasons for requiring the employee to return to

work. If the employee fails to return as directed, the Appointing Authority may discipline the employee.

530:10-17-83. [RESERVED]

530:10-17-84. Executive Fellows program; conversion

(a) **Eligibility.** An Executive Fellow *shall be eligible for appointment to a position in the classified or unclassified service of the state and shall be deemed as meeting all other statutory requirements* if the participant has:

(1) Been certified by the Appointing Authority as having successfully completed a 2-year internship within a 3-year period; and

(2) *Met all requirements of education and experience* [74:840-3.5].

(b) **Direct conversion.** If there is no break in service after successful completion of a 2-year internship, the conversion to a position in the classified service shall be exempt from the:

(1) application and certification procedures described in 530:10-9,

(2) probationary period described in Part 3 of 530:10-11, and

(3) posting requirements in Part 5 of 530:10-11, if the conversion is to a job which is consistent with the duties and responsibilities of the Executive Fellow internship.

(c) **Salary upon direct conversion.** If there is no break in service, the salary shall be determined in accordance with 530:10-7-3.

(d) **Conversion following a break in service.** If the Executive Fellow is separated after successful completion of a 2-year internship and before being converted to the classified service, the agency shall meet the internal posting requirements of Part 5 of 530:10-11 before the person is reinstated and converted to the classified service, and may require a probationary period in accordance with 530:10-9-102.

(e) **Roster.** The Administrator shall maintain a roster of Executive Fellows who have submitted a written request for eligibility for appointment to a position in the classified or unclassified service of the state upon successful completion of a 2-year Executive Fellows internship. Appointing authorities or their designees may request this roster from the Office of Personnel Management. Additionally, Executive Fellows may make application for employment directly with state agencies. The following requirements must be met before an agency may hire an Executive Fellow from the roster:

(1) The Administrator must certify that the person meets the current minimum qualifications for the job;

- (2) The Administrator may require the person to pass a qualifying examination before approving a reinstatement;
- (3) The date the person enters on duty in probationary status must be within 2 years after the completion of the Executive Fellows internship;
- (4) The person's salary must be set in accordance with 530:10-7-3;
- (5) The probationary period must be in accordance with 530:10-11-30; and
- (6) The agency must meet internal posting requirements.

PART 9. MANDATORY SUPERVISORY TRAINING

530:10-17-90. Purpose

The rules in this Part implement Section 840-3.1 of Title 74 of the Oklahoma Statutes, which requires training for supervisors in both the classified and unclassified services in the executive branch of state government, excluding those within The Oklahoma State System of Higher Education. The rules establish policies and procedures necessary to implement supervisory training requirements.

530:10-17-91. Definitions

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

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

"**Twelve hours of training**" means the equivalent of 2 training days that include at least 6 hours of instruction a day. Twelve hours of training are also equivalent to 1.2 continuing education units (CEUs).

"**Twenty-four hours of training**" means the equivalent of 4 training days that include at least 6 hours of instruction a day. Twenty-four hours of training are also equivalent to 2.4 continuing education units (CEUs).

530:10-17-92. [RESERVED]

530:10-17-93. Supervisory training requirements

(a) Beginning November 1, 1999, all supervisors shall complete 12 hours of supervisory training according to this Part each calendar year [74:840-3.1].

(b) Persons appointed to supervisory positions after November 1, 1999, shall complete 24 hours of supervisory training according to this Part within 12 months before or after assuming a supervisory position [74:840-3.1]. Supervisors shall complete training courses in the State of Oklahoma

Performance Management Process and progressive discipline within the first 12 months of being appointed to a supervisory position.

(c) The appointing authority of each agency shall make sure each supervisory employee is notified and scheduled to attend required supervisory training and shall make time available for each supervisory employee to complete the training [74:840-3.1].

(d) Training courses conducted by employing agencies, public and private schools, and colleges and universities may count toward supervisory training requirements if the coursework meets the definition for supervisory training in 530:10-17-91.

530:10-17-94. [RESERVED]

530:10-17-95. Supervisory training reporting requirements

Employing agencies shall keep records of the training of all supervisory employees and shall submit reports of supervisory training to the Office of Personnel Management at the request of the Administrator.

530:10-17-96. [RESERVED]

530:10-17-97. Reporting of training compliance

Each spring, the Administrator will notify agencies of the method for reporting their level of compliance with these requirements for the previous calendar year. The Administrator shall provide a summary of the reports to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate.

PART 11. CERTIFIED PUBLIC MANAGER PROGRAM

530:10-17-110. Purpose [EMER. EFF. 01/24/05]

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

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

530:10-17-111. Definitions [EMER. EFF. 01/24/05]

In addition to words and terms defined in OAC 455:10-1-2 or 530:10-1-2, the following words and terms, when used in this Part, shall have the

following meaning, unless the context clearly indicates otherwise.

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

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

530:10-17-112. Program description

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

(b) Nomination procedure.

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

(2) An agency or organization may establish its own selection procedure which is consistent with the affirmative action and equal employment opportunity goals of the State of Oklahoma.

(3) The agency or organization may nominate an employee for participation in the Program at any time by forwarding a completed nomination form to the Certified Public Manager Program at the Office of Personnel Management.

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

(d) **Communication with the Office of Personnel Management.** Interested persons may direct communications to the attention of the Oklahoma Certified Public Manager Program in accordance with 530:1-1-12.

(e) **Experience credit.** Graduation from the Program as a “Certified Public Manager” shall substitute for 1 year of professional experience in business or public administration on any Merit System job class

requiring such experience as part of the minimum qualifications.

530:10-17-113. Program requirements for candidates

(a) **Graduation requirements.** To graduate from the Program as a “Certified Public Manager”, a candidate shall complete all of the following graduation requirements within 5 years after enrollment in the program:

(1) Attend **300** hours of management training courses. At least **200** of these hours shall be in Human Resource Development courses prescribed by the Administrator and specified in the information booklet described in 530:10-17-112. The remaining hours shall be in management-related elective courses;

(2) Pass four written exams on the topics covered in the required coursework;

(3) Complete four project papers relating to the candidate’s job and the courses taken; and

(4) Pay the Program fees described in 530:10-17-115 in full before graduation.

(b) Active status.

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

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

(c) Inactive status.

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

(2) If the candidate does not make progress toward completion of the Program requirements

described in (a) of this Section within a 24-month period, the Administrator or designee shall place the candidate on permanent inactive status.

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

- (1) The employing agency or organization re-nominates the candidate;
- (2) A committee consisting of the Administrator or designee, an instructor, and a Certified Public Manager approves the candidate's plan for completion of the Program; and
- (3) The candidate repeats any required courses which have been updated or redesigned since he or she completed them.

(e) **Removal of a candidate from the Program.**

Only the nominating agency or organization may remove a candidate from the Program.

530:10-17-114. Program requirements for nominating agency or organization

The nominating agency or organization shall:

- (1) Provide time for the candidate, during his or her work day, to attend training courses, prepare class assignments, study for examinations, and work on Program projects; and
- (2) Allow candidates to use agency or organization issues or problems for their four job-related projects.

530:10-17-115. Program fees

(a) **State agencies and agency employees.**

- (1) The fee for participation shall be **\$1,080.00** for candidates entering the Program on and after July 1, 1996.
- (2) The nominating state agency shall pay **\$1,000.00** in two equal installments of **\$500.00**, payable in 2 fiscal years. The fee covers the cost of all required coursework, including course materials and instructor fees.
- (3) The state agency employee shall pay **\$80.00: \$10.00** for each of the four examinations and four projects required for completion of the Program at the time the candidate sits for an examination or completes a project.

(b) **Organizations and organization employees.**

- (1) The fee for participation shall be **\$1,380.00** for candidates entering the Program on and after July 1, 1996.
- (2) The nominating organization shall pay **\$1,300.00** in two equal installments of **\$650.00**, payable in 2 fiscal years. The fee covers the cost of all required coursework, including course materials and instructor fees.
- (3) The organization employee shall pay **\$80.00: \$10.00** for each of the four examinations and

four projects required for completion of the Program at the time the candidate sits for an examination or completes a project.

(c) **Refunds.** If a nominating agency or organization removes a candidate from the Program before the candidate has completed 60 required hours, the agency or organization shall:

- (1) nominate another employee for the Program to replace the employee who was removed; or
- (2) receive a refund from the Office of Personnel Management of one-half of the prescribed total Program fee. For example, if an agency has paid the first installment only, then there is no refund, but if an agency has paid both installments, then the agency shall receive the amount of one installment (one-half the total).

(d) **Changes in Fees.** Changes in Program fees shall not affect fees for candidates who enter the Program before the effective date of the change.

PART 13. PERSONNEL PROFESSIONALS TRAINING AND CERTIFICATION

530:10-17-130. Purpose

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

530:10-17-131. Definitions

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

"Annual training requirements" means a curricula approved by the Administrator for certified personnel professionals to maintain certification.

"Certification" means the successful completion of the course curricula or service as an instructor for the course curricula, and the successful completion of the examination established by the Administrator for testing competency in professional personnel practices.

"Certified Personnel Professionals" means employees who have achieved and maintained certification.

"Personnel professional" means an employee in the classified or unclassified service, who on a regular and consistent basis as an integral part of his or her normal work assignment and job family

descriptor, performs professional duties developing or implementing personnel administration policies, practices and procedures. "Personnel professional" includes persons performing such duties in the job families of Human Resources Programs Manager, Human Resources Management Specialist, Personnel Programs Analyst, Personnel Programs Coordinator, Human Resources Programs Director, or in other job families designated by the Administrator as professional personnel positions; and those persons in classified or unclassified positions occupying comparable positions or performing comparable duties as determined by the Administrator. The Administrator may waive the training requirements for personnel professionals whose primary assigned duties are in the areas of benefits, payroll, training, affirmative action/equal employment opportunity, retirement, safety, workers compensation, or employee assistance programs, according to 530:10-17-136.

530:10-17-132. Personnel professionals training requirements

(a) Beginning July 15, 1996, all employees assigned to professional personnel positions in the executive branch, excluding employees within The Oklahoma State System of Higher Education, shall attend a minimum of **4** days or **2.4 Continuing Education Units (CEUs)** of training in professional personnel administration conducted through the Office of Personnel Management, and successfully complete an examination prescribed by the Administrator in order to attain certification as a personnel professional. Employees appointed to personnel professional positions after July 15, 1996, shall attend the training and successfully complete the examination within **6** months of appointment. [74:840-1.6A(18)]

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

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

(d) The Appointing Authority of each agency with an employee assigned to a professional personnel position shall ensure the employee is notified and scheduled to attend required personnel professionals

training and shall make time available for the employee to complete the training. [74:840-1.6A(18)]

530:10-17-133. [RESERVED]

530:10-17-134. Course approval of annual training requirements

(a) To request approval of training not conducted by the Office of Personnel Management as meeting the annual training requirements, the Appointing Authority shall submit the following course information to the Administrator for review:

- (1) Course title and a brief description;
- (2) Classroom hours or Continuing Education Units (CEUs); and
- (3) Course outline.

(b) The Administrator shall maintain lists of courses approved as meeting the annual training requirements, and may withdraw his or her approval of courses by notifying employing agencies.

(c) Certified Personnel Professionals who complete approved training courses shall submit proof of completion that is acceptable to the Administrator.

530:10-17-135. [RESERVED]

530:10-17-136. Application for waiver of training requirements

(a) The Administrator may waive the personnel professional training requirements for employees:

- (1) Whose primary assigned duties are in the areas of benefits, payroll, training, affirmative action/equal employment opportunity, retirement, safety, workers compensation, or employee assistance programs; and,
- (2) Whose primary assigned duties do not include classification, compensation, recruitment, or selection.

(b) Employees who are eligible for a waiver according to Subsection (a) of this Section, may apply by submitting a written request signed by the Appointing Authority, along with a position description, job family descriptor, or a description of the employee's primary assigned duties, to the Office of Personnel Management.

(c) The Administrator shall be responsible for granting or denying waivers under this Section. The decision of the Administrator to grant or deny such a waiver shall be final.

530:10-17-137. [RESERVED]

530:10-17-138. Personnel professionals training fees

(a) The fee for participation shall be **\$240.00** for employees entering the personnel professionals certification training on or after July 15, 1996.

(b) The state agency of each participating employee shall pay the **\$240.00** to the Office within the fiscal year of enrollment. The fee covers the cost of all required coursework, including course materials, examination, and instructor fees.

PART 15. STATE MENTOR PROGRAM

530:10-17-150. Purpose

(a) The rules in this Part establish policies and procedures to implement the State Mentor Program in accordance with Section 840-3.8 of Title 74 of the **Oklahoma Statutes**. The Program is administered by the Administrator of the Office of Personnel Management.

(b) It is the purpose of the State Mentor Program to develop the executive potential of employees in all branches of state government, with a special emphasis on women, racial minorities, and persons with disabilities.

530:10-17-151. [RESERVED]

530:10-17-152. Mentor Selection Advisory Committee

(a) **Organization.** Section 840-3.8 of Title 74 of the **Oklahoma Statutes** creates a 7-member Mentor Selection Advisory Committee and provides for the appointment of five permanent members, who serve at the pleasure of their Appointing Authority, and the selection of two Appointing Authority members by the permanent members every two years. The Committee shall elect a chairperson from among its members. A member may be elected for succeeding terms of office.

(b) **Purpose.** The purpose of the Mentor Selection Advisory Committee is to select candidates for participation in the State Mentor Program and recommend those candidates to the Administrator for his approval in accordance with the provisions of Section 840-3.8 of Title 74 of the **Oklahoma Statutes**.

(c) **Meetings.** The Advisory Committee shall meet at the call of the chair as necessary to fulfill its purpose under Section 840-3.8 of Title 74 of the **Oklahoma Statutes**. A majority of the members shall constitute a quorum.

530:10-17-153. Definitions

In addition to words and terms defined in OAC 530:10-1-2 and 455:10-1-2, the following words and terms, when used in this Part, shall have the following meaning, unless the context clearly indicates otherwise.

“Agency” means any office, department, board, commission, or institution in all branches of state government.

“Agency Mentor” means a policy-level manager in an agency participating in the State Mentor Program who serves as a mentor during the period the Mentor Executive is completing his or her management rotation in that agency.

“Mentor Executive” means a state employee selected for participation in the State Mentor Program.

“Sending agency” means the employing agency of each state employee selected as a Mentor Executive.

“Receiving agency” means each agency where a Mentor Executive is completing a phase of his or her management rotation.

530:10-17-154. [RESERVED]

530:10-17-155. Program description

(a) **Eligibility.** A state employee in any branch of state government may be nominated by another state employee for participation in the State Mentor Program.

(b) **Nomination procedure.**

(1) The State Mentor Program nomination form is available from the Office of Personnel Management. The nomination form solicits information about the nominee and the state employee making the nomination, and shall be signed by the state employee making the nomination.

(2) Any state employee may nominate another state employee for participation in the Program during the nomination period announced by the Administrator by forwarding a completed nomination form to the State Mentor Program at the Office of Personnel Management.

(c) **Application form.**

(1) The Office of Personnel Management shall provide a State Mentor Program application form to each state employee nominated for participation in the Program. The application form provides general and specific information about the State Mentor Program, including the application process, application requirements, and Program eligibility requirements. It solicits information about applicants and their qualifications for participation in the Program.

(2) Any state employee nominated for participation in the Program may complete and return an application during the application period announced by the Administrator by forwarding a completed application to the State Mentor Program at the Office of Personnel Management.

(d) **Communication with the Office of Personnel Management.** Interested persons may direct communications to the attention of the State Mentor

Program at the Office of Personnel Management in accordance with 530:1-1-12.

(e) **Application procedure.** To apply for participation in the State Mentor Program, an applicant shall complete the application form described in subsection (c) of this section and submit it to the State Mentor Program at the Office of Personnel Management by the prescribed deadline.

(f) **Selection process.** The process for selecting Mentor Executives will normally consist of the application, minimum qualifications, ratings of training and experience, interviews, a writing exercise, and other assessment methods, as prescribed by the Mentor Selection Advisory Committee, in which applicants must participate in order to advance to the final selection pool.

(g) **Minimum qualifications.** To be eligible for selection as a Mentor Executive, an applicant shall possess the minimum qualifications established for the Mentor Executive job family.

(h) **Appointing Authority endorsement letter.** The Committee shall contact the agency Appointing Authority of each applicant who demonstrates the minimum qualifications for Mentor Executive to request endorsement of the employee's participation in the State Mentor Program. An applicant who does not receive the endorsement of the agency Appointing Authority will not be considered further.

(i) **Background investigation.** Each applicant shall complete a post-offer, pre-hire, work-related criminal background investigation.

530:10-17-156. Agency rotations

(a) **State Personnel Interchange Program.** Rotation assignments shall be accomplished through the State Personnel Interchange Program, Section 840-3.9, et seq. of Title 74 of the Oklahoma Statutes.

(b) **Length of rotations.** Each Mentor Executive shall be assigned to a management rotation in any state agency accepting the Mentor Executive, and the Mentor Executive's sending agency, provided that each agency rotation shall not exceed six months. Rotational assignments may be consecutive or intermittent and shall not exceed a total of **24** months for all rotations combined.

(c) **Work assigned during rotations.** Each agency participating in the State Mentor Program shall assign the Mentor Executive to a policy-level manager during the period he or she is completing a management rotation in that agency.

(d) **Compensation during rotations.**

(1) The Administrator shall establish minimum compensation for Mentor Executives. The sending agency and each agency in which the Mentor Executive is completing his or her

management rotation may share the compensation of the Mentor Executive or either agency may pay the total amount.

(2) If a state employee's salary is below the minimum salary for the Mentor Executive job family, the employee's salary shall be increased to that minimum. A state employee's salary shall not be reduced because of his or participation in the State Mentor Program.

(e) **FTE limitations.** Employees participating in the State Mentor Program shall be exempt from any full-time-equivalent limitations established by law.

(f) **Intercession by the Office of Personnel Management.** *The Administrator of the Office of Personnel Management may intercede in mentor executive rotational assignments if the Administrator determines that the assignments are not functioning in accordance with guidelines established for the state mentor program. The result of the intercession may include, but is not limited to, reassignment or removal from the program.* [74:840-3.8]

(g) **Completion of rotation assignment.** At the end of a two-year management rotation assignment or sooner, if a Mentor Executive is unable to complete the entire two-year management rotation assignment, a Mentor Executive shall be entitled to return to the previous job family or its successor job family, if one exists in the sending agency. Otherwise, the reduction-in-force provisions of Section 840-2.27C of Title 74 of the Oklahoma Statutes shall apply.

PART 17. STATE WORK INCENTIVE PROGRAM

530:10-17-170. Purpose

(a) The rules in this Part establish policies and procedures to implement the State Work Incentive Program in accordance with Section 840-5.16 of Title 74 of the Oklahoma Statutes.

(b) The State Work Incentive Program is aimed at employing participants in the Temporary Assistance to Needy Families Program in Oklahoma and vocational rehabilitation clients of the Department of Rehabilitation Services in entry-level positions within state service. [74:840-5.16]

(c) The rules in this Part, except for Section 530:10-17-177, apply to both merit system and non-merit system agencies employing participants in the State Work Incentive Program. Section 530:10-17-177 shall apply to merit system agencies only.

530:10-17-171. [RESERVED]

530:10-17-172. [RESERVED]

530:10-17-173. Eligibility and length of appointment [AMENDED EFF. 7/15/03]

To be eligible for hire under the State Work Incentive Program, a person must be certified as a participant in the Temporary Assistance to Needy Families Program by a State Work Incentive Referral Form issued by the State of Oklahoma Department of Human Services, or be certified as an eligible individual by a State Work Incentive Program Certificate issued by the Department of Rehabilitation Services. A copy of the required certification will be provided to the Office of Personnel Management at the time of appointment. Agencies may employ eligible persons in the State Work Incentive Program for up to 2 years in full-time or part-time unclassified status.

530:10-17-174. [RESERVED]

530:10-17-175. Conditions of employment

(a) **No right of continued employment.** Employees hired under the State Work Incentive Program shall be employed in the unclassified service of the state. Employees hired under the State Work Incentive Program shall have no right or expectation of continued employment in any classified or unclassified position because of participation in the State Work Incentive Program.

(b) **Eligibility for leave and benefits.** Employees hired under the State Work Incentive Program are eligible for leave and other benefits of state employment available to regular unclassified employees. Employees hired under the State Work Incentive Program must meet any other eligibility requirements established for such benefits. [74:840-5.16]

(c) **Leave without pay.** Employees hired under the State Work Incentive Program may be granted leave of absence without pay from the agency in accordance with 530:10-15-47. Leave without pay in excess of a total of 5 working days shall extend the employee's 2 years of eligibility under the State Work Incentive Program by the number of working days the employee is on leave without pay.

(d) **Eligibility for promotion.** Employees hired under the State Work Incentive Program may be reassigned or promoted while they are participating in the program. [74:840-5.16]

(e) **Performance evaluation.** Appointing Authorities shall evaluate the performance of employees hired through the State Work Incentive Program according to the provisions of Section 840-4.17 of Title 74 of

the Oklahoma Statutes.

530:10-17-176. [RESERVED]

530:10-17-177. Conversion

(a) **Eligibility.** Persons employed by merit system agencies under the State Work Incentive Program shall be eligible for conversion to permanent classified status at the discretion of the Appointing Authority if the employee has:

- (1) completed 2 years of continuous participation in the State Work Incentive Program, not including periods of leave without pay in accordance with 530:10-17-175;
- (2) performed satisfactorily as evidenced by performance evaluations conducted according to Section 840-4.17 of Title 74 of the Oklahoma Statutes;
- (3) met the minimum requirements for the position; and
- (4) passed any entrance examination required for the applicable job family level by the Office of Personnel Management.

(b) **Direct conversion.** Direct conversion means the conversion of an employee to permanent classified status immediately following the successful completion of 2 years service under the State Work Incentive Program. Conversion shall be to a job consistent with the duties assigned to the employee under the State Work Incentive Program. The conversion of employees who meet the requirements of subsection (a) to permanent classified status shall be exempt from:

- (1) the application, certification, and appointment requirements of Subchapter 9 of these rules;
- (2) the probationary period requirements of Part 3 of Subchapter 11 of these rules; and
- (3) the promotional posting requirements of Part 5 of Subchapter 11 of these rules.

(c) **Conversion following a break in service or to a different job.** If an employee completes a 2 year appointment under the State Work Incentive Program and is separated from the unclassified appointment under this program without being directly converted, the employee will be eligible for future appointment for up to 2 years following the completion of the State Work Incentive Program and eligible persons may make application for employment directly with state agencies. Additionally, a person may be converted to a different job which is not consistent with the duties and responsibilities performed under the State Work Incentive Program appointment subject to the following conditions. Prior to appointment and conversion of a person under this authorization, the agency shall meet the internal

positing requirement of Part 5 of 530:10-11 and may require a probationary period in accordance with 530:10-9-102. The following requirements must also be met:

- (1) The Administrator must certify that the person meets the current minimum qualifications for the job;
- (2) The Administrator may require the person to pass a qualifying examination before approving the appointment;
- (3) The date the person enters on duty must be within **2** years after the completion of the State Work Incentive Program appointment; and
- (4) The probationary period must be in accordance with 530:10-11-30.

(d) **Salary upon conversion.** If there is no break in service and conversion is to a job which is consistent with the duties and responsibilities performed during the State Work Incentive Program appointment, the salary shall be fixed at the rate of pay in effect for the employee at the time of conversion. If the conversion is to a different job, or the conversion follows a break in service, the salary shall be determined in accordance with 530:10-7-3.