

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1462

By: Steidley

AS INTRODUCED

An Act relating to state government personnel;  
amending Section 23, Chapter 367, O.S.L. 1992,  
which relates to pay increases; clarifying  
language; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 23, Chapter 367, O.S.L.  
1992, is amended to read as follows:

Section 23. A. Effective December 1, 1992, all classified employees of the state who meet the eligibility requirements in subsection 0 of this section shall be awarded a one-step pay increase within their regular base salary grade range in accordance with the current Merit System of Personnel Administration Salary Schedule, notwithstanding any salary limitation provided in an agency's annual appropriation. If an employee's regular base salary before the increase is on step thirteen (13) of the grade range or is above the thirteenth (13th) step of the grade range, the employee shall receive the equivalent of a one-step increase.

B. Effective December 1, 1992, all unclassified employees of the state who are paid in accordance with the current Merit System of Personnel Administration Salary Schedule and who meet the eligibility requirements in subsection 0 of this section shall be

awarded a one-step pay increase within their regular base salary grade range in accordance with said Salary Schedule, notwithstanding any salary limitation provided in an agency's annual appropriation. If an employee's regular base salary before the increase is on step thirteen (13) of the grade range or is above the thirteenth (13th) step of the grade range, the employee shall receive the equivalent of a one-step increase.

C. Effective December 1, 1992, all unclassified employees of the state who are not paid in accordance with the current Merit System of Personnel Administration Salary Schedule but who meet the eligibility requirements in subsection O of this section shall be awarded a two and one-half percent (2.5%) pay increase based on their annualized base salary, excluding longevity pay and any other differential pay and allowances, notwithstanding any salary limitation provided in an agency's annual appropriation.

D. During the period from January 1, 1993, to June 30, 1993, each agency may provide a one-step pay increase, in addition to the pay increase granted in subsection A of this section, within their regular base salary grade range in accordance with the current Merit System of Personnel Administration Salary Schedule for all classified employees of the state who meet the eligibility requirements in subsection O of this section, notwithstanding any salary limitation provided in an agency's annual appropriation. If the provisions of subsection K of this section cannot be met, an agency shall not authorize the salary increase provided for in this subsection for classified employees of the agency. However, such an increase may be instituted at any time during the period from January 1, 1993, to June 30, 1993, that an agency can comply with subsection K of this section. If an employee's regular base salary before the increase is on step thirteen (13) of the grade range or is above the thirteenth (13th) step of the grade range, the employee shall receive the equivalent of a one-step increase.

E. During the period from January 1, 1993, to June 30, 1993, each agency may provide a one-step pay increase, in addition to the pay increase granted in subsection B of this section, to unclassified employees of the state who are paid in accordance with the current Merit System of Personnel Administration Salary Schedule and who meet the eligibility requirements in subsection O of this section, notwithstanding any salary limitation provided in an agency's annual appropriation. If the provisions of subsection K of this section cannot be met, an agency shall not authorize the salary increase provided for in this subsection for such unclassified employees. However, such an increase may be instituted at any time during the period from January 1, 1993, to June 30, 1993, that an agency can comply with subsection K of this section. If an employee's regular base salary before the increase is on step thirteen (13) of the grade range or is above the thirteenth (13th) step of the grade range, the employee shall receive the equivalent of a one-step increase.

F. During the period from January 1, 1993, to June 30, 1993, each agency may provide a two and one-half percent (2.5%) pay increase, in addition to the pay increase granted in subsection C of this section, based on their annualized base salary, excluding longevity pay and any other differential pay and allowances to unclassified employees of the state who are not paid in accordance with the current Merit System of Personnel Administration Salary Schedule and who meet the eligibility requirements in subsection O of this section, notwithstanding any salary limitation provided in an agency's annual appropriation. If the provisions of subsection K of this section cannot be met, an agency shall not authorize the salary increase provided for in this subsection for such unclassified employees. However, such an increase may be instituted at any time during the period from January 1, 1993, to June 30, 1993, that an agency can comply with subsection K of this section.

G. If a discretionary pay increase is granted for employees within an agency in accordance with this section, all of the agency's classified and unclassified employees whose service ratings are subject to the provisions of the Oklahoma Personnel Act and who have received an overall rating of at least "satisfactory", or its equivalent, on a service rating conducted on or after July 1, 1991, in accordance with Section 841.16 of Title 74 of the Oklahoma Statutes, shall receive the discretionary increase.

H. Each agency proposing to award a discretionary pay increase according to subsections D, E and F of this section shall be required to file an Agency Pay Plan with the Office of Personnel Management no later than sixty (60) days prior to the effective date of any salary increases provided for in this section. This plan shall indicate how the agency will provide increases in the salaries of its classified and unclassified employees.

I. Each agency's plan for the discretionary pay increase authorized in subsections D, E and F of this section is subject to the approval of the Office of State Finance and the Office of Personnel Management. Copies of each plan shall be submitted to the fiscal staffs of the House of Representatives and the Senate. Agency employees shall be ineligible to receive the discretionary pay increase as authorized in subsections D, E and F of this section before approval of the plan or before the effective date of the plan. J. The plan of an agency shall state what actions the agency must take to achieve the plan, what positions shall be left vacant, what programmatic changes are to be made, how services provided by the agency will be affected, and other relevant information.

K. Fiscal Year 1993 personal services expenditures for each agency shall not exceed the Fiscal Year 1993 personal services budget limit as calculated by the Office of State Finance. In calculating the Fiscal Year 1993 personal services budget limit, the

Office of State Finance shall use the Fiscal Year 1992 personal services budget as the base and may make adjustments as necessary including but not limited to consideration of the following: new FTE added by the Legislature; the estimated Fiscal Year 1993 increase in longevity payments for employees employed by the agency on June 30, 1992; the estimated increased Fiscal Year 1993 cost attributed to increases in the FICA tax base and the unemployment tax base; adjustments made by the Legislature to the agency personal services budget. The plan shall include a statement by the agency director that the Fiscal Year 1993 personal services budget limit will not be exceeded. To calculate the Fiscal Year 1994 personal services budget limit referred to in subsection L of this section, the Office of State Finance will follow a similar procedure.

L. The mandatory pay increase, and the discretionary pay increase if it is to be awarded, shall be implemented without increasing the personal services budgets for Fiscal Year 1993 or Fiscal Year 1994 above the amount calculated in subsection K of this section.

M. Pay increases awarded in accordance with this section shall become part of the employee's base salary.

N. No employee shall be granted more than two (2) steps or five percent (5%) increase in pay pursuant to this section during the fiscal year ending June 30, 1993. No pay increase shall become effective on or after an employee's last day on duty.

O. The purpose of this subsection is to establish eligibility requirements for classified and unclassified employees to receive a pay increase under this section.

1. The following officers and employees are ineligible for a pay increase pursuant to this section and nothing in this section shall be construed to authorize any increase or advancement in the salaries of:

- a. state officers and employees whose salaries are set by law, except as provided in this act, or
- b. persons on temporary, student, internship or other limited-term appointments, or
- c. persons employed pursuant to Section 10 of this act, persons employed pursuant to paragraph 12 of Section 840.8 of Title 74 of the Oklahoma Statutes, or persons employed pursuant to Sections 1806.1 and 1825 of Title 74 of the Oklahoma Statutes, or
- d. officers and employees of institutions under the administrative authority of the State Regents for Higher Education.

2. To be eligible for a mandatory or discretionary pay increase pursuant to this section, classified employees must be in permanent status with the agency and unclassified employees must be in regular status with at least six (6) months continuous service, i.e., not on a temporary or any other limited-term appointment; and

3. To be eligible for a discretionary pay increase pursuant to this section, classified and unclassified employees whose service ratings are subject to the provisions of the Oklahoma Personnel Act must have received an overall rating of at least "satisfactory", or its equivalent, on a service rating conducted on or after July 1, 1991, in accordance with Section 841.16 of Title 74 of the Oklahoma Statutes.

P. The budgetary limitation for payroll, salaries and wages established in the annual appropriation for the agency shall be adjusted to include any pay raises granted pursuant to the provisions of this act.

Q. Any agency granting a discretionary pay increase pursuant to this section may provide that the increase may be retroactive to July 1, 1992, if the agency can comply with the provisions of subsection K of this section.

R. Any agency, in order to grant any pay increase pursuant to this act, shall not implement a reduction-in-force to off-set the cost of such pay increase.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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