

SHORT TITLE: State government; modifying accrual rates of certain leave for state employees; effective date; emergency.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 1126

By: Wright

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 1991, Section 840.7a, as renumbered by Section 54, Chapter 242, O.S.L. 1994, and as last amended by Section 11, Chapter 358, O.S.L. 1995 (74 O.S. Supp. 1995, Section 840-2.20), which relates to leave benefits; modifying accrual rates of leave for state employees; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 840.7a, as renumbered by Section 54, Chapter 242, O.S.L. 1994, and as last amended by Section 11, Chapter 358, O.S.L. 1995 (74 O.S. Supp. 1995, Section 840-2.20), is amended to read as follows:

Section 840-2.20 The Administrator of the Office of Personnel Management shall promulgate such emergency and permanent rules regarding annual leave and sick leave as are necessary to assist the state and its agencies in the equitable implementation of the State Disability Insurance Program. Such rules shall be so designed as to provide for coordination between leave accrual, leave accumulation, leave use, and eligibility for disability insurance coverage, such disability insurance coverage to be determined by the State Employees Group Health, Dental and Life Insurance Board.

The Administrator of the Office of Personnel Management, in adopting new rules, amending rules and repealing rules, shall ensure that the following provisions are incorporated:

1. Eligible employees who enter on duty or who are reinstated after a break in service shall receive leave benefits in accordance with the ~~schedule outlined below~~ schedules provided in this section. Leave will be accrued on a monthly basis and prorated, as appropriate, for less than full-time service. Years of service shall be based on cumulative periods of employment calculated in the manner that cumulative service is determined for longevity purposes pursuant to Section 840-2.18 of this title.

2. a. The following accrual rates and accumulation limits apply to eligible employees who initially enter into service prior to July 1, 1996:

ACCRUAL RATES			ACCUMULATION
			LIMITS
<u>Cumulative</u>			
Years of	Annual	Sick	Annual
Service	Leave	Leave	Leave
Persons employed 0-5 yrs =	15 day/yr	15 days/yr	30 days
5-20 yrs =	18 day/yr	15 days/yr	60 days
over 20 yrs =	20 day/yr	15 days/yr	60 days

b. The following accrual rates and accumulation limits apply to eligible employees who initially enter into service on or after July 1, 1996:

<u>ACCRUAL RATES</u>			<u>ACCUMULATION</u>
			<u>LIMITS</u>
<u>Cumulative</u>			
<u>Years of</u>	<u>Annual</u>	<u>Sick</u>	<u>Annual</u>
<u>Service</u>	<u>Leave</u>	<u>Leave</u>	<u>Leave</u>
<u>Persons employed 0-5 yrs =</u>	<u>10 day/yr</u>	<u>15 days/yr</u>	<u>30 days</u>
<u>5-10 yrs =</u>	<u>15 day/yr</u>	<u>15 days/yr</u>	<u>60 days</u>
<u>10-20 yrs =</u>	<u>25 day/yr</u>	<u>15 days/yr</u>	<u>60 days</u>

over 25 yrs = 25 day/yr 15 days/yr 60 days

c. For any period of service for which the schedule contained in subparagraph b of this paragraph provides greater leave accrual rates to an eligible employee who initially enters into service before July 1, 1996, than would accrue to that employee according to the schedule in subparagraph a of this paragraph, such employee shall accrue leave according to the schedule in subparagraph b.

All accrued annual leave and all leave eligibility under O.A.C. 530:10-15-11(b) (5) which is in excess of annual leave limits shall not be reduced or eliminated as a result of these rule changes.

~~3. Employees entering on duty in eligible status and eligible employees reinstated or reemployed following a break in service on or after July 1, 1985, shall accrue annual and sick leave in accordance with the provisions of paragraph 2 of this section on and after the effective date of this act, Section 840.1 et seq. of this title, but shall not be entitled to any additional leave for the period between July 1, 1985, and the effective date of this act as a result of the provisions of this act.~~

4. Temporary employees and other limited term employees are ineligible to accrue, use, or be paid for sick leave and annual leave. Such employees shall be eligible for paid holiday leave at the discretion of the appointing authority.

~~5.~~ 4. Employees shall not be entitled to retroactive accumulation of leave as a result of amendments to this section. Effective September 1, 1994, employees shall be eligible to accrue leave pursuant to paragraph 1 of this section.

~~6.~~ 5. The Administrator of the Office of Personnel Management and the Executive Director of the Oklahoma Merit Protection

Commission shall cooperate to assist agencies in developing policies to prevent violence in state government workplaces without abridging the rights of state employees. Such policy shall include a paid administrative leave provision as a cooling-off period which the Administrator of the Office of Personnel Management is authorized to provide pursuant to the Administrative Procedures Act. Such leave shall not be charged to annual or sick leave accumulations.

~~7.~~ 6. The University Hospitals Authority Model Personnel System shall be exempt from the provisions of this section.

SECTION 2. This act shall become effective July 1, 1996.

SECTION 3. 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.

45-2-2338

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