

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL 1225

By: Robinson

COMMITTEE SUBSTITUTE

[Department of Rehabilitation Services - salary
computation -

emergency]

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 840-5.12, as amended by Section 5, Chapter 93, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-5.12), is amended to read as follows:

Section 840-5.12 A. The State Department of Rehabilitation Services shall be under the Merit System. Except as otherwise provided in this section, all offices, positions and personnel shall be classified and subject to the provisions of the Merit System of Personnel Administration and rules promulgated hereunder. This section shall supersede and repeal any and all executive orders issued pursuant to Section 840-1.1 et seq. of this title to place the agency or its predecessors under the Merit System.

B. In addition to offices, positions and personnel that are unclassified pursuant to Section 840-5.5 of this title, the Director of the State Department of Rehabilitation Services may establish positions in the unclassified service and place employees in the positions provided the total number of unclassified positions does not exceed fifty-two (52). This limit does not include State Department of Rehabilitation Services employees subject to Section 840-5.3 of this title.

C. The limit on unclassified positions provided for in subsection B of this section shall not apply to the instructional and administrative personnel at the Oklahoma School for the Blind and the Oklahoma School for the Deaf as listed in Section 1419 of Title 10 of the Oklahoma Statutes.

D. The limit on unclassified positions provided for in subsection B of this section shall not apply to the employees of the Disability Determination Division of the State Department of Rehabilitation Services. The Director of the State Department of Rehabilitation Services may establish positions in the unclassified service in the Disability Determination Division and may place employees in those positions provided the total number of those unclassified positions does not exceed ten.

E. Instructional and administrative personnel of the State Department of Rehabilitation Services at the Oklahoma School for the Blind and the Oklahoma School for the Deaf pursuant to Section 1419 of Title 10 of the Oklahoma Statutes shall be considered unclassified state employees solely for the purpose of entering and maintaining employment data in the state Personnel Management Information System established pursuant to Section 840-2.13 of this title, unless otherwise provided by law.

F. Noninstructional and nonadministrative personnel of the State Department of Rehabilitation Services at the Oklahoma School for the Blind and the Oklahoma School for the Deaf who work only during the months of August through May, may make an irrevocable election in July of each year to have such employee's salary computed on a twelve-month basis and shall receive a prorated check each month during such employment. Upon termination the employee shall receive a lump sum equivalent to the difference between the employee's prorated check and the amount such employee would have received for the months employed, if any, had he or she not made the election pursuant to this section.

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 resolution shall take effect and be in full force from and after its passage and approval.

49-2-2956

SJ

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