

EHB 1744

THE STATE SENATE
Wednesday, March 26, 2003

ENGROSSED

House Bill No. 1744

As Amended

ENGROSSED HOUSE BILL NO. 1744 - By: MILLER (Doug) of the House and
NICHOLS of the Senate.

**[Oklahoma Personnel Act - employee service rating system -
effective date]**

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 840-4.17, is
amended to read as follows:

Section 840-4.17 A. The Office of Personnel Management shall
make available one standard performance management system to be used
by all agencies for completing employee service ratings. Agencies
~~shall implement this new system on or before January 1, 2000. Until~~
~~January 1, 2000, agencies may continue to use employee service~~
~~rating systems which were approved or provided by the Administrator~~
~~prior to November 1, 1999.~~ The purpose of this employee performance
management system is to evaluate the performance of each regular
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 of this title and those employees employed by the institutions

1 under the administrative authority of The Oklahoma State System of
2 Higher Education.

3 B. The employee performance management system shall provide for
4 the following:

5 1. An objective evaluation of the employee, by the immediate
6 supervisor, of the performance of the employee within the assigned
7 duties of the job;

8 2. The identification of the strengths and deficiencies of the
9 employee;

10 3. The identification by the immediate supervisor of
11 accountabilities upon which the employee will be evaluated;

12 4. A mid-term interview with the immediate supervisor for the
13 purpose of discussing the progress of the employee in meeting the
14 accountabilities upon which the employee will be evaluated;

15 5. Corrective actions, if necessary, to correct deficiencies;

16 ~~4.—An~~ 6. A final interview with the employee by the immediate
17 supervisor who shall provide the employee with a copy of the service
18 ratings; and

19 ~~5.~~ 7. The opportunity for the employee to submit written
20 comments regarding the service rating.

21 C. Each employee shall be rated thirty (30) days prior to the
22 end of the probationary period. ~~Thereafter~~ After the end of the
23 probationary period, each employee shall be rated ~~no less than once~~

1 ~~each year~~ annually on a twelve-month period, except as shall be
2 provided by rules promulgated by the Administrator of the Office of
3 Personnel Management.

4 D. Any permanent classified employee who disagrees with the
5 employee's individual service rating may file a grievance pursuant
6 to Section 840-6.2 of this title. Any employee, regardless of
7 status, who is required to be rated pursuant to this section and who
8 disagrees with the individual service rating of the employee may
9 file a complaint through any other dispute resolution process made
10 available through the employing agency or the Oklahoma Merit
11 Protection Commission. ~~The Oklahoma Merit Protection Commission~~
12 ~~shall not have jurisdiction to investigate or hear appeals of~~
13 ~~individual service ratings.~~

14 E. The agency shall use available service ratings of current or
15 former state employees in decisions regarding promotions,
16 appointments, demotions, performance pay increases and discharges.
17 Reductions-in-force shall not be considered discharges.

18 F. The agency shall retain a copy of the service rating for
19 each employee of the agency. A copy of the service rating shall be
20 retained in the employee's personnel file.

21 G. Each appointing authority shall confirm in writing to the
22 Administrator of the Office of Personnel Management on or before
23 January 1 of each year that the employees of the appointing

1 authority's agency have been rated pursuant to the provisions of
2 this section.

3 H. The Administrator of the Office of Personnel Management
4 shall conduct an annual random audit of state agencies in compliance
5 with this section.

6 SECTION 2. This act shall become effective November 1, 2003.

7 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 3-24-03
8 - DO PASS, As Amended.