

3 **Senate Bill No. 1628**
4 **As Amended**

5 SENATE BILL NO. 1628 - By: JOHNSON (Constance) of the Senate and
6 SHUMATE of the House.

7 [**state government - longevity pay plan - effective date**]

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

9 SECTION 1. AMENDATORY 74 O.S. 2001, Section 840-2.18, as
10 last amended by Section 3, Chapter 176, O.S.L. 2005 (74 O.S. Supp.
11 2005, Section 840-2.18), is amended to read as follows:

12 Section 840-2.18 A. A longevity pay plan is hereby adopted.
13 This plan applies to all state classified, unclassified, and exempt
14 employees, excluding members of boards and commissions, institutions
15 under the administrative authority of the State Regents for Higher
16 Education, employees of public school districts, and elected
17 officials. The plan shall also apply to those employees of the
18 Oklahoma School for the Blind and the Oklahoma School for the Deaf
19 who qualify for longevity pay in accordance with subsection D of
20 Section 1419 of Title 10 of the Oklahoma Statutes.

21 B. The Oklahoma Conservation Commission is hereby authorized to
22 establish a longevity pay program for employees of the conservation
23 districts employed under Section 3-3-103 of Title 27A of the
24 Oklahoma Statutes. Such longevity pay program shall be consistent

1 with the longevity pay program for state employees authorized under
2 this title and payments shall be made in a manner consistent with
3 procedures for reimbursement to conservation districts.

4 C. To be eligible for longevity pay, employees must have been
5 continuously employed in the classified or unclassified service of
6 the state for a minimum of two (2) years in full-time status or in
7 part-time status working more than one thousand (1,000) hours a
8 year.

9 For purposes of this section, a break in service of thirty (30)
10 calendar days or less shall not be considered an interruption of
11 continuous service; a break in service of more than thirty (30)
12 calendar days shall mark an end to continuous service. The
13 legislative session employees who have worked for two (2) years or
14 more in part-time status and are eligible for state retirement
15 benefits, but do not receive other longevity payments, shall be
16 eligible and shall be considered to have been continuously employed
17 for purposes of calculating longevity payments, notwithstanding the
18 provisions of subsection E of this section.

19 D. 1. Longevity pay for the first twenty (20) years of service
20 shall be determined pursuant to the following schedule:

21 Years of Service	Annual Longevity Payment
22 At least 2	
23 years but less than 4 years	\$250.00

1	At least 4	
2	years but less than 6 years	\$426.00
3	At least 6	
4	years but less than 8 years	\$626.00
5	At least 8	
6	years but less than 10 years	\$850.00
7	At least 10	
8	years but less than 12 years	\$1,062.00
9	At least 12	
10	years but less than 14 years	\$1,250.00
11	At least 14	
12	years but less than 16 years	\$1,500.00
13	At least 16	
14	years but less than 18 years	\$1,688.00
15	At least 18	
16	years but less than 20 years	\$1,900.00
17	At least 20 years	\$2,000.00

18 2. For each additional two (2) years of service after the first
19 twenty (20) years an additional Two Hundred Dollars (\$200.00) shall
20 be added to the amount stated above for twenty (20) years of
21 service.

22 The total amount of the annual longevity payment made to an
23 employee by any and all state agencies in any year shall not exceed

1 the amount shown on the table corresponding to that employee's years
2 of service with the state, except as otherwise provided by Sections
3 840-2.27D and 840-2.28 of this title. Further, no employee shall
4 receive duplicating longevity payments for the same periods of
5 service with any and all agencies, except as otherwise provided by
6 Sections 840-2.27D and 840-2.28 of this title.

7 E. To determine years of service, cumulative periods of full-
8 time employment or part-time employment working more than one
9 hundred fifty (150) hours per month with the state excluding service
10 as specified in subsection A of this section are applicable. Part-
11 time employment, working one hundred fifty (150) hours per month or
12 less for the state, excluding service as specified in subsection A
13 of this section, shall be counted only if:

14 1. The period of employment was continuous for at least five
15 (5) months; and

16 2. The person worked more than two-fifths (2/5) time.

17 Other employment shall not be counted as service for purposes of
18 longevity payments. Further, no period of employment with the
19 state, whether with one or more than one agency, shall be counted as
20 more than full-time service.

21 F. Years of service under the administrative authority of the
22 State Regents for Higher Education or the administrative authority
23 of the Oklahoma Department of Career and Technology Education of any

1 employee who is now employed in a job classification which is
2 eligible for longevity pay shall be included in years of service for
3 purposes of determining longevity pay.

4 G. Years of service shall be certified through the current
5 employing agency by the appointing authority on a form approved by
6 the Office of Personnel Management. Said form shall be completed
7 and posted as directed by the Administrator of the Office of
8 Personnel Management by the current employing agency when the
9 employee initially enters on duty with the agency and thereafter
10 whenever the employee's anniversary date is changed. When
11 completed, said form shall be placed into the employee's personnel
12 file to be maintained by the Office of Personnel Management and the
13 employee's current employing agency. A copy of the completed form
14 shall be given to the employee.

15 H. Eligible employees, in full-time status or in part-time
16 status working more than one hundred fifty (150) hours per month,
17 shall receive one (1) lump-sum annual payment, in the amount
18 provided on the preceding schedule, during the month following the
19 anniversary date of the employee's most recent enter-on-duty day
20 with the state. Upon implementation of the statewide information
21 systems project, the lump-sum annual payment may be paid concurrent
22 with the final payroll of the month of the employee's anniversary
23 date. Eligible part-time employees who work one hundred fifty (150)

1 hours per month or less shall receive one (1) lump-sum annual
2 payment, based on the formula in subsection L of this section,
3 during the month following the anniversary date of the employee's
4 most recent enter-on-duty day with the state. To receive longevity
5 pay an employee must be in pay status on or after his or her
6 anniversary date.

7 Eligible employees who would not otherwise receive annual
8 longevity payments because their employment includes regular periods
9 of leave without pay in excess of thirty (30) calendar days shall
10 receive one (1) lump-sum annual payment, based on the formula in
11 subsection L of this section, during:

12 1. The month of August if the employee is in pay status on July
13 1; or

14 2. During the month following the employee's first return to
15 duty that fiscal year if the employee is not in pay status on July
16 1.

17 Except as otherwise provided by Sections 840-2.27D and 840-2.28
18 of this title, employees terminated as a result of a reduction-in-
19 force or retiring from state employment shall receive upon said
20 termination or retirement the proportionate share of any longevity
21 payment which may have accrued as of the date of termination or
22 retirement. Provided further that, the proportionate share of any
23 longevity payment which may have accrued as of the date of death of

1 an employee shall be made to the surviving spouse of the employee or
2 if there is no surviving spouse to the estate of the employee.

3 I. Periods of leave without pay taken in accordance with
4 Section 840-2.21 of this title shall be counted as service. Other
5 periods of nonpaid leave status in excess of thirty (30) calendar
6 days shall not mark a break in service; however, they shall:

7 1. Not be used in calculating total months of service for
8 longevity pay purposes; and

9 2. Extend the anniversary date for longevity pay by the total
10 period of time on nonpaid leave status except as provided in
11 subsection H of this section for employees whose conditions of
12 employment include regular periods of leave without pay.

13 J. Employees currently receiving longevity pay who work for the
14 judicial branch of state government or who work for the Oklahoma
15 Department of Career and Technology Education shall not be eligible
16 for the longevity pay plan provided for in this section.

17 K. A break in service with the state in excess of thirty (30)
18 days but which does not exceed two (2) years which was caused by a
19 reduction-in-force shall be treated as if it were a period of
20 nonpaid leave status as provided for in subsection I of this section
21 for the purpose of calculating total months of service for longevity
22 pay. This subsection shall only apply to state employees laid off
23 after June 30, 1982.

1 L. Eligible part-time employees working less than one hundred
2 fifty (150) hours per month and other eligible employees with
3 regular annual periods of leave without pay of more than thirty (30)
4 calendar days will receive a prorated share of the "Annual Longevity
5 Payment" authorized in subsection D of this section. The prorated
6 amount of payment will be based on actual hours worked in the
7 immediately preceding twelve (12) months.

8 M. An employee shall not be entitled to retroactive longevity
9 payments as a result of amendments to this section unless
10 specifically authorized by law.

11 N. The Administrator of the Office of Personnel Management is
12 authorized to promulgate such Longevity Pay Plan Rules as he or she
13 finds necessary to carry out the provisions of this section.

14 O. As of July 1, 1998, years of service with a city-county
15 health department for employees who left a city-county health
16 department for employment with the Department of Environmental
17 Quality or the State Department of Agriculture, between July 1, 1993
18 and July 1, 1998, and who are now employed in a job classification
19 that is eligible for longevity pay pursuant to this section, shall
20 be included in years of service for purposes of determining
21 longevity pay subsequent to July 1, 1998.

22 P. As of July 1, 2003, years of service with a local
23 conservation district shall be included in years of service for

1 purposes of determining longevity pay for local conservation
2 district employees transferred to the Oklahoma Conservation
3 Commission pursuant to the provisions of Enrolled Senate Bill No.
4 149 of the 1st Session of the 49th Legislature.

5 SECTION 2. This act shall become effective November 1, 2006.

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-22-06 - DO
7 PASS, As Amended and Coauthored.