

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 57<sup>th</sup> Legislature

|                        |                    |
|------------------------|--------------------|
| <b>Bill No.:</b>       | <b>HB 3094</b>     |
| <b>Version:</b>        | <b>CS</b>          |
| <b>Request Number:</b> | <b>11485</b>       |
| <b>Author:</b>         | <b>Rep. Osburn</b> |
| <b>Date:</b>           | <b>3/2/2020</b>    |
| <b>Impact:</b>         | <b>OMES:</b>       |

**Minimal Impact  
To OMES**

**Research Analysis**

HB 3094 creates a new division within the Office of Management and Enterprise Services named the Human Capital Management Administration (HCMA). The HCMA is directed to receive and act on complaints arising from disciplinary actions by state employees, establish an application process for consideration of complaints, employ and maintain a statewide Alternative Dispute Resolution Program for state agencies and employees, and to hire administrative law judges as independent contractors to exercise provisions of the act.

After January 1, 2021, all new hire state employee positions and all unclassified state employee positions would be administered by the HCMA. Current employees in classified positions have the option of retaining classified status but may change to the HCMA.

Prepared By: Sean Webster

**Fiscal Analysis**

The measure creates the Human Capital Management Administration (HCMA) within the Office of Management and Enterprise Services (OMES) which, effective January 1, 2021, will serve all new hire state employee positions and all unclassified employee positions on issues related to complaints arising from disciplinary actions, will establish a process for consideration before administrative law judges, establish and maintain an Alternative Dispute Resolution Program and other administrative functions.

Currently, the Merit Protection Commission undertakes many of the duties of the proposed HCMA for employees in the classified service. OMES indicates the provisions of the measure will have a minimal impact on the agency. From OMES:

It is estimated HB3094 would have minimal fiscal impact on OMES. We believe the administrative function changes this bill offers could be handled with existing personnel with minimal additional costs. The only aspect that would have a fiscal impact in the short term would be the contracting with Administrative Law Judges to hear state employee cases. An exact fiscal impact on this is unavailable at this time because it would depend on the caseload amount and the independent contract negotiations agreed upon. However, this impact is still expected to be minimal.

Prepared By: Mark Tygret

### **Other Considerations**

The measure also provides the option for any classified employee to elect to remain so or to change their status.

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