

1 The Director of the Office of Management and Enterprise
2 Services, in adopting new rules, amending rules and repealing rules,
3 shall ensure that the following provisions are incorporated:

4 1. Eligible employees who enter on duty or who are reinstated
5 after a break in service shall receive leave benefits in accordance
6 with the schedule outlined below. Leave shall be accrued based upon
7 hours worked, paid leave, and holidays, but excluding overtime, not
8 to exceed the total possible work hours for the pay period. Years
9 of service shall be based on cumulative periods of employment
10 calculated in the manner that cumulative service is determined for
11 longevity purposes pursuant to Section 840-2.18 of this title.

12 ~~Employees may accumulate more than the maximum annual leave~~
13 ~~accumulation limits shown in the schedule below, provided that such~~
14 ~~excess is used during the same calendar year in which it accrues or~~
15 ~~within twelve (12) months of the date on which it accrues, at the~~
16 ~~discretion of the appointing authority. If an employee whose job~~
17 ~~duties include providing fire protection services, law enforcement~~
18 ~~services or services with the Department of Corrections is unable to~~
19 ~~use excess annual leave as provided for in this paragraph because~~
20 ~~the employee's request for leave is denied by the employee's~~
21 ~~appointing authority and the denial of leave is due to extraordinary~~
22 ~~circumstances such that taking leave could pose a threat to public~~
23 ~~safety, health or welfare and is unable to discharge such annual~~
24 ~~leave, the employee shall receive compensation at the employee's~~

1 regular rate of pay for the amount of excess annual leave the
 2 employee is unable to use. Such compensation shall be paid at the
 3 end of the ~~time period~~ twelve (12) months during which the excess
 4 annual leave was required to have been used;

5 2. From November 1, 2001, the following accrual rates and
 6 accumulation limits apply to eligible employees as follows:

	ACCRUAL RATES			ACCUMULATION
				LIMITS
	Cumulative			
	Years of	Annual	Sick	Annual
	Service	Leave	Leave	Leave
12	Persons employed 0-5 yrs	= 15 day/yr	15 days/yr	30 days
13	5-10 yrs	= 18 day/yr	15 days/yr	60 days
14	10-20 yrs	= 20 day/yr	15 days/yr	60 days
15	over 20 yrs	= 25 day/yr	15 days/yr	60 days

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

20 4. Employees shall not be entitled to retroactive accumulation
 21 of leave as a result of amendments to this section;

22 5. The Director of the Office of Management and Enterprise
 23 Services and the Executive Director of the Oklahoma Merit Protection
 24 Commission shall cooperate to assist agencies in developing policies

1 to prevent violence in state government workplaces without abridging
2 the rights of state employees. Such policy shall include a paid
3 administrative leave provision as a cooling-off period which the
4 Director of the Office of Management and Enterprise Services is
5 authorized to provide pursuant to the Administrative Procedures Act.
6 Such leave shall not be charged to annual or sick leave
7 accumulations;

8 6. State employees who terminated their employment in the state
9 service on or after October 1, 1992, may be eligible to have sick
10 leave accrued at the time of termination of employment restored if
11 they return to state employment, provided that the state employees'
12 enter-on-duty dates for reemployment occur on or before two (2)
13 years after their termination of employment and they are eligible to
14 accrue sick leave before the two (2) years expire;

15 7. Employees who are volunteer firefighters pursuant to the
16 Oklahoma Volunteer Firefighters Act and who are called to fight a
17 fire shall not have to use any accrued leave or need to make up any
18 time due to the performance of their volunteer firefighter duties;

19 8. Employees who are reserve municipal police officers pursuant
20 to Section 34-101 of Title 11 of the Oklahoma Statutes and who miss
21 work in performing their duties in cases of emergency shall not have
22 to use any accrued leave or need to make up any time due to the
23 performance of their reserve municipal police officer duties; and
24

1 9. Employees who are reserve deputy sheriffs pursuant to
2 Section 547 of Title 19 of the Oklahoma Statutes and who miss work
3 in performing their duties in case of emergency shall not have to
4 use any accrued leave or need to make up any time due to the
5 performance of their reserve deputy sheriff duties.

6 B. Nothing in the Oklahoma Personnel Act is intended to prevent
7 or discourage an appointing authority from disciplining or
8 terminating an employee due to abuse of leave benefits or
9 absenteeism. Appointing authorities are encouraged to consider
10 attendance of employees in making decisions regarding promotions,
11 pay increases, and discipline.

12 C. Upon the transfer of a function in state government to an
13 entity outside state government, employees may, with the agreement
14 of the outside entity, waive any payment for leave accumulations to
15 which the employee is entitled and authorize the transfer of the
16 leave accumulations or a portion thereof to the outside entity.

17 SECTION 2. This act shall become effective January 1, 2022.

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19 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
20 02/11/2021 - DO PASS, As Coauthored.