J. Kevin Stitt
Office of the Governor
State of Oklahoma

FILED
JAN 24 2019
OKLAHOMA SECRETARY
OF STATE

EXECUTIVE DEPARTMENT
EXECUTIVE ORDER 2019-3

I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and by Subsection D of Section 840-2.14 of Title 74 of the Oklahoma Statutes, hereby order a State agency personnel action freeze for classified employee positions (hereinafter referred to as "personnel freeze"). This personnel freeze does not apply to unclassified employee positions.

For purposes of this personnel freeze, I hereby delegate authority to approve or disapprove exemption requests to: 1) the statewide elected officials who direct and manage State employing entities ("agencies")[1]; and 2) for all other State agencies, the appropriate Cabinet Secretary, as designated by the Executive Order in effect that creates the Cabinet System pursuant to 74 O.S. § 10.3. In the event the appropriate Cabinet Secretary position is vacant, the authority to approve or disapprove exemptions is delegated to the Secretary of Agency Accountability.

This hiring freeze shall be implemented by all agencies in accordance with the following guidelines:

1. No audits of classified positions or reallocation of unclassified positions shall be initiated or conducted at the request of any agency unless specifically approved by the appropriate statewide elected official or Cabinet Secretary (collectively referred to as "Cabinet Secretary"). Provided, however, an audit at the request of an employee who files a classification grievance shall be conducted during this personnel freeze in accordance with 74 O.S. § 840.43.

2. Except as specifically provided and authorized by this Order, all agencies are prohibited from hiring, reinstating, granting salary raises, awarding performance bonuses, and promoting classified employees and from accepting a transferred classified employee from another agency without first securing the express, written approval of the appropriate Cabinet Secretary.

3. With regard to classified Information Technology ("IT") positions, all hiring, reinstatement, salary raises, performance bonuses, promotions, or acceptances of transferred employees, shall require the exclusive approval of the Secretary of Agency Accountability.

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[1] Statewide elected officials may accomplish their duties pursuant to this Order in the same manner as they effect other official actions.

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4. For personnel actions meeting any of the criteria outlined in paragraphs 2 or 3 above, an exemption to this personnel freeze may only be granted if the Chief Administrative Officer of an agency submits a request to, and receives approval from, the appropriate Cabinet Secretary for that agency, or, for IT personnel actions, approval from, the Secretary of Agency Accountability. Requests for exemptions and approvals shall be made in the following manner:

    a. A Chief Administrative Officer shall submit a written request to the appropriate cabinet secretary stating the special conditions requiring the submission of the request.

    b. Such requests shall be submitted through the electronic exception process of the Human Capital Management Division of the Office of Management and Enterprise Services ("OMES"), hereinafter referred to as HCM, if such electronic exception process is available.

    c. Upon finding that the request for an exemption to this personnel freeze is justified based on the special conditions, as identified by the agency's Chief Administrative Officer, the Cabinet Secretary shall indicate his or her approval of the exemption in writing.

    d. All approved requests and Cabinet Secretary findings shall be maintained in accordance with the Records Management Act, and in HCM's exception system, if available.

5. The Director of OMES is hereby directed to develop and implement procedures necessary to carry out the provisions of this Order.

6. The Director of OMES is authorized to require Cabinet Secretaries to provide him or her with periodic accountings of approvals and disapprovals of requests for exemptions to this personnel freeze, a copy of such accountings shall also be provided to the Governor. To ensure proper monitoring, the Director of OMES is authorized to develop a protocol requiring all Cabinet Secretaries to regularly report all personnel actions related to this Order in their respective areas of responsibility.

7. The Oklahoma Military Department's personnel actions shall comply with this Order, except for those actions and contracts for which the Department receives total federal government reimbursement.

Copies of this Order shall be distributed to all statewide elected officials, Cabinet Secretaries, and the Director of OMES for immediate implementation.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 24th day of January, 2019

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

J. KEVIN STITT

ATTEST:

MICHAEL ROGERS, SECRETARY OF STATE