



*Mary Fallin*  
Governor

**FILED**

APR 19 2012

OKLAHOMA SECRETARY  
OF STATE

**EXECUTIVE DEPARTMENT**

**SECOND AMENDED EXECUTIVE ORDER 2011-11**

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I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by the provisions of Subsection D of Section 840-2.14 of Title 74 of the Oklahoma Statutes, hereby order a state agency hiring freeze.

For purposes of this hiring freeze, each statewide elected official shall perform the duties of a Cabinet Secretary in approving or disapproving exemptions to this hiring freeze. These duties shall be accomplished in the same manner as other official actions by the elected officials.

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

1. It is my direction that 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 appropriated Cabinet Secretary.
2. All audits resulting from a classification grievance shall be exempted from the provisions of this Executive Order.
3. All hiring, reinstatement, promotion or acceptances of transferred Information Technology positions, regardless of the Cabinet area of responsibility for which the individual is employed, shall require the approval of the Secretary of Information Technology and Telecommunications.
4. Except as specifically provided and authorized by this order, all affected state agencies are prohibited from hiring, reinstating, or promoting employees and from accepting a transferred employee from another agency without the express approval by the relevant Cabinet Secretary if any one of the following statements apply:
  - a. The position is newly created, reinstated after elimination, or is transferred from another agency.

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- b. The position is being hired at a higher salary and/or cost to the state.
- c. The position has been open for more than 180 days.

5. For positions meeting any one of the criteria outlined above in paragraph 4, an exception to this hiring freeze may be granted only pursuant to special conditions as declared and memorialized by the Chief Administrative Officer of any agency by submitting a request to, and receiving approval from, the appropriate Cabinet Secretary for that agency. A request by the Chief Administrative Officer of any agency, and approval by the Cabinet Secretary, shall be made in the following manner:

- a. The Chief Administrative Officer shall submit a request to the appropriate Cabinet Secretary fully stating the special conditions requiring the submission of the request.
- b. Such requests shall be submitted through the Office of Personnel Management's electronic exception process, if the electronic exemption process is available.
- c. The Cabinet Secretary shall indicate approval of the submitted request for the granting of an exception of this hiring freeze.
- d. All approved requests and Cabinet Secretary findings shall be maintained in the Office of Personnel Management's exception system and in accordance with the Records Management Act.
- e. In the event of a vacancy in a Cabinet Secretary position, the Secretary of State shall act as the approving authority for the hiring freeze exception request.
- f. All requests for hiring freeze exceptions for agencies reporting to the Secretary of Human Resources and Administration shall be directed to the Secretary of Finance and Revenue who shall have the authority to review and approve those requests.

6. The Director of the Office of State Finance is hereby directed to develop and implement procedures necessary to carry out the provisions of this Executive Order.

7. The Director of the Office of State Finance is authorized to require Cabinet Secretaries to provide him with periodic accountings of their approvals and disapprovals of requests for exemptions to this hiring freeze. These reports shall be provided to the Governor. Additionally, to ensure proper monitoring, the Director of the Office of State Finance is authorized to develop a protocol that requires Cabinet Secretaries to regularly report all hiring actions in their respective areas of responsibility, including hiring decisions that do not require Cabinet Secretary approval.

8. The Oklahoma Military Department shall not be required to comply with this order for hiring personnel and contracts for which the department receives total federal government reimbursement.

9. Notwithstanding the requirements of this Order, a Cabinet Secretary has the discretion to impose more restrictive requirements on hiring, reinstating or promoting employees in any one or all of the agencies within the their area of Cabinet responsibility.

Copies of this Executive Order shall be distributed to the Secretary for Finance and Revenue for immediate implementation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 14<sup>th</sup> day of April, 2012.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
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MARY FALLIN

ATTEST:

  
Assistant SECRETARY OF STATE  
  
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