Mary Fallin
Governor

FILED
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OKLAHOMA SECRETARY
OF STATE

EXECUTIVE DEPARTMENT
EXECUTIVE ORDER 2015-06

I, Mary Fallin, 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 (hereinafter referred to as "personnel freeze").

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

The personnel freeze shall be implemented by all agencies in accordance with the following guidelines:[2]

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 Cabinet Secretary. However, all audits resulting from a classification grievance shall be exempt from the provisions of this Executive Order.

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

3. With regard to Information Technology (IT) positions, however, all hiring, reinstatement, salary raises, performance bonuses, promotions, or acceptances of transferred employees, shall require the exclusive approval of the Secretary of Finance, Administration, and Information Technology (Secretary of Finance).

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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.
[2] All individuals empowered to make final determinations regarding exemptions, including statewide elected officials, shall hereinafter be referred to as "Cabinet Secretary."

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4. For personnel actions meeting any of the criteria outlined in paragraphs 2 and 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 Finance. Requests for exemptions and approvals shall be made in the following manner:

    a. The Chief Administrative Officer shall submit a written request to the appropriate Cabinet Secretary that fully documents and establishes the unique, fact-specific conditions justifying 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 warranted by unique, fact-specific conditions, the Cabinet Secretary shall indicate his or her written approval.

    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.

    e. In the event of a vacancy in a Cabinet Secretary position, the Secretary of State shall act as the approving authority for the personnel freeze exemption request.

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

6. The Director of OMES is authorized to require Cabinet Secretaries to provide him with periodic accountings of approvals and disapprovals of requests for exemptions to this personnel action freeze, which reports shall also be provided to the Governor. Additionally, to ensure proper monitoring, the Director of OMES is authorized to develop a protocol that requires Cabinet Secretaries to regularly report all personnel actions in their respective areas of responsibility.

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

8. Notwithstanding the requirements of this Order, a Cabinet Secretary has the discretion to impose more restrictive personnel action requirements in any one or all of the agencies within his or her area of responsibility.

Copies of this Executive Order shall be distributed to the Secretary of Finance and the Director of OMES 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 6th day of February, 2015.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Mary Fallin

MARY FALLIN

ATTEST:

Chris Morrison

Assistant SECRETARY OF STATE