

455:10-19-44(a); (a)(2); and (a)(3)	Purpose Provide more expedient time for processing internal agency grievances	Last amended 7/13/1995	Time	Not Ineffective	Not Duplicative	N/A	Potential Time Saving	Not Necessary	Advancements in communication technology allows 45 calendar day grievance resolution period to be reduced to 30 calendar days; allows mutually agreed 30 calendar day extension to be reduced to 15 calendar days; resulting in total resolution time reduction from 90 calendar days to 60 calendar days.
455:10-19-45(b)	Purpose Provide more expedient time for delivery of internal agency grievance resolution decisions	Last amended 7/13/1995	Time	Not Ineffective	Not Duplicative	N/A	Potential Time Saving	Not Necessary	Advancement in communication technology allows internal agency grievance resolution decisions to also be delivered via electronic mail.
455:10-19-35(d)	Purpose Disallow Commission appeal of informal discipline issues	Last amended 9/11/2016	Time	Not Ineffective	Not Duplicative	N/A	Potential Time Saving	Not Necessary	Informal discipline issues regarding state employees are not subject to placement in personnel files. Informal discipline is best addressed at lowest level possible at the agency level.

Statutory Citation:

455:10-3-1.1. Time. Time is jurisdictional. (1) Alleged violation appeal. Unless otherwise provided for by statute or the rules in this chapter, an alleged violation appeal shall be filed within 20 calendar days after the alleged violation occurs. The Executive Director may extend this time limit if the appellant demonstrates that he or she filed within 20 calendar days after becoming aware of, or with due diligence, should have become aware of the alleged violation, or for other good cause shown. For information on filing an appeal after a formal grievance see OAC 455:10-19-46. (2) Adverse action appeal. An appeal of a permanent classified employee appealing a discharge, suspension without pay or involuntary demotion shall be filed within 20 calendar days after receipt of the written notice of the action imposed, by certified mail or personal service. This is a statutory time limit and may not be extended. [74:840-6.5(C)]. [Source: Added at 13 Ok Reg 3025, eff 7-15-96; Amended at 19 Ok Reg 2376, eff 7-1-02; Amended at 26 Ok Reg 559, eff 3-1-08 through 7-14-09 (emergency)1 ; Amended at 26 Ok Reg 2690, eff 7-25-09]

455:10-19-44. Resolution time. (a) A formal grievance shall be resolved by the employing agency within 45 calendar after the filing of the grievance. (1) The appointing authority may extend the resolution time up to an additional 15 days for good cause. The extension shall be made in writing to the employee before the expiration of the 45 calendar day resolution time and include reasons for the extension. (2) The employee and the appointing authority may mutually extend the resolution time up to an additional 30 calendar days for good cause. Any extension shall be agreed to in writing and include reasons for the extension. (3) In no case shall the resolution time of a formal grievance exceed 90 calendar days. (b) Time limits for completion of resolution steps may be adopted in an appointing authority’s internal agency grievance resolution procedure. {Source: Added at 12 OK Reg 2823, eff 7-13-97}

455:10-19-45. Resolution decision (a) Resolution decisions shall address the issues raised in the formal grievance. (b) Resolution decisions shall be made in writing to the employee filing the formal grievance or if a group grievance, to the spokesperson. Resolution decisions shall be delivered personally or by mail. [Source: Added at 12 OK Reg 2823, eff 7-13-95]

455:10-19-35. Grievance (d) Discipline. Any employee who has reason to believe that discipline imposed was not uniform, appropriate or in compliance with the agency progressive discipline policy, has the right to file a formal grievance. The Commission will accept an appeal regarding a discipline issue (except suspension without pay, involuntary demotion or discharge) only after such complaint has been reviewed in the formal grievance procedure. [Source: Added at 12 Ok Reg 2823, eff 7-13-95; Amended at 17 Ok Reg 533, eff 11-30-99 (emergency); Amended at 17 Ok Reg 2560, eff 6-26-00; Amended at 19 Ok Reg 2376, eff 7-1-02; Amended at 26 Ok Reg 559, eff 3-1-08 through 7-14-09 (emergency)1; Amended at 26 Ok Reg 2690, eff 7-25-09; Amended at 33 Ok Reg 1756, eff 9-11-16]

Administrative Rules Report | Executive Order 2020-03

Executive Order 2020-3 requires agencies to review their rules to “identify all unnecessary regulatory restrictions and all other costly, ineffective, unnecessary, and outdated regulations,” and to submit a report of their findings to the Governor, President Pro Tempore of the Senate, and Speaker of the House by August 1, 2020.

The Merit Protection Commission has minimal rules and regulations that would prove costly. The agency is responsible for the enforcement of the Merit System of Personnel Administration Rules to have a uniform system of personnel management.

[In summary, the Commission operation expenditures are minimal to meet its statutory obligations. The MPC contracts with Administrative Law Judges (ALJ) to hold hearings as statutorily required for state employee appeals. The ALJ’s are paid from the general operation funds. The agency does not make grants to individuals or organizations nor does the agency engage in any complex financial transactions with small businesses or individuals for other professional services. Financial risks are minimal, and transactions are small and transparent. The agency contracts with ABS to insure that transactions are accurate and compliant with state regulations.]

END OF REPORT