

1 ENGROSSED HOUSE
2 BILL NO. 2086

By: Dollens of the House

3 and

4 Coleman of the Senate

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6
7 [state government - providing for rates of
8 compensation for on-call state employees -
9 effective date]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 840-2.31 of Title 74, unless
16 there is created a duplication in numbering, reads as follows:

17 A. State agencies are authorized to pay employees for the
18 periods of time when the employee is in on-call status, off work
19 premises, but is required to remain at, near or able to return to
20 work when called upon. This shall be known as on-call pay.

21 B. State agencies shall identify job classes or individual
22 positions within the agency that are subject to on-call duty, based
23 on sound business need. Employees shall be notified in advance of
24 being subject to on-call duty and shall be notified of any

1 restrictions on personal time the duty requires. Employees will be
2 informed as to how the duty will be compensated.

3 C. A classified state employee shall receive compensation for
4 the periods of time he or she is assigned on-call duty and enters
5 on-call status. For each day that an employee is in on-call status
6 during the normal workweek, an employee shall receive compensation
7 for one (1) regular work hour. For each day that an employee is in
8 on-call status during weekends and on holidays, an employee shall
9 receive compensation for two (2) regular work hours. This credit
10 shall be in addition to actual hours worked during normal duty hours
11 and actual hours worked during on-call duty.

12 D. Any hours earned and worked during on-call duty shall be
13 paid to the employee. Employees shall be paid hour for hour for
14 time worked during on-call service. An hour of on-call service
15 shall not be considered to be an hour worked during the week for
16 purposes of the Fair Labor Standards Act only to the extent required
17 by federal law.

18 E. The Office of Management and Enterprise Services shall
19 promulgate rules necessary to implement the provisions of this
20 section.

21 SECTION 2. REPEALER 74 O.S. 2011, Section 840-2.29, is
22 hereby repealed.

23 SECTION 3. This act shall become effective November 1, 2019.

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1 Passed the House of Representatives the 13th day of March, 2019.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2019.

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9 Presiding Officer of the Senate