

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3085

By: Cockroft

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to counties and county officers;
10 authorizing counties to adopt a performance-based
11 adjustment program for county employees; providing
12 written performance-based adjustment plan content
13 requirements; limiting performance-based adjustment
14 to any county employee for every twelve-month cycle;
15 requiring certain evaluation be less than one (1)
16 year old; providing for codification; and providing
17 an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 169 of Title 19, unless there is
21 created a duplication in numbering, reads as follows:

22 A. Counties may adopt a performance-based adjustment program
23 for county employees pursuant to this section.

24 B. In order to adopt a performance-based adjustment program, a
 county shall adopt a written performance-based adjustment plan. The
 plan must:

1 1. Indicate the manner in which the county intends to award
2 performance-based adjustments, including a determination that
3 performance-based adjustments will be awarded for overall ratings of
4 "meets standards" or "exceeds standards". Performance-based
5 adjustments shall not exceed five percent (5%) of a county
6 employee's annual salary for "meets standards" or ten percent (10%)
7 of a county employee's annual salary for "exceeds standards". The
8 plan shall include:

- 9 a. the amount or percentage that the county will award to
10 qualifying employees, or
11 b. total dollar figure the county intends to set aside
12 for performance-based adjustments to be divided among
13 qualifying county employees;

14 2. Identify and define the twelve-month evaluation cycle to be
15 used within the county, such as a calendar year or fiscal year. The
16 plan shall not be amended within the evaluation cycle but may be
17 discontinued according to paragraph 5 of this subsection;

18 3. Indicate whether the county will award performance-based
19 adjustments as an increase to the county employee's salary, a lump-
20 sum payment, or a combination thereof;

21 4. Include a written confirmation that the county can fund the
22 performance-based adjustment program for the current and subsequent
23 fiscal year without the need for additional funding; and
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1 5. Include a statement that the county may discontinue
2 performance-based adjustments at any time should it be necessary to
3 prevent a budget shortfall. The county shall notify employees of
4 the discontinuation of the plan and the reason therefor.

5 C. A county may grant only one performance-based adjustment to
6 any county employee for any twelve-month evaluation cycle. A county
7 shall not award a performance-based adjustment to any employee based
8 upon a performance evaluation which is more than one (1) year old.

9 SECTION 2. This act shall become effective November 1, 2018.

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11 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
12 dated 03/06/2018 - DO PASS, As Amended.

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