

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 2086

By: Dollens

AS INTRODUCED

An Act relating to state government; providing for rates of compensation for on-call state employees; repealing 74 O.S. 2011, Section 840-2.29, which relates to compensation for on-call classified state employees; providing for codification; and providing an effective date.

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

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

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

B. State agencies shall identify job classes or individual positions within the agency that are subject to on-call duty, based on sound business need. Employees shall be notified in advance of 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. For each  
5 day on call during the normal workweek, an employee shall receive  
6 compensation for one (1) regular work hour. For each day on call  
7 during weekends and on holidays, an employee shall receive  
8 compensation for two (2) regular work hours. This credit shall be  
9 in addition to actual hours worked during normal duty hours and  
10 actual hours worked during on-call duty. State agencies shall not  
11 workweek adjust employees for these hours.

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19 hereby repealed.

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

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22 57-1-7109 LRB 12/19/18  
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