

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 1898

By: Roach

AS INTRODUCED

An Act relating to labor; amending 40 O.S. 1991, Section 481, which relates to the Jobs Recovery Program; clarifying provisions in the jobs Recovery Program; and providing an effective date.

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

SECTION 1. AMENDATORY 40 O.S. 1991, Section 481, is amended to read as follows:

Section 481. A. There shall be established a Jobs Recovery Program in accordance with this act. The purpose of the Jobs Recovery Program shall be to provide public works jobs and training for individuals not otherwise able to obtain employment, provided they meet the requirements specified in subsection F of this section, in order to assist them in obtaining regular public or private employment.

B. The Oklahoma Employment Security Commission shall administer this program subject to the requirements of this act and availability of funds.

C. Public works jobs which shall be a part of this program shall include, but not be limited to, the following:

1. Building, rebuilding or repairing roadbeds, bridges and sidewalks;

2. Building, rebuilding, remodeling or repairing public schools and public buildings;

3. Maintaining and improving state and municipal parks, historical sites and cemeteries; and

4. Building, rebuilding, remodeling or repairing jails, juvenile facilities and prisons.

D. To the extent possible, the prior training, experience, skills and abilities of a participant of this program shall be utilized in making appropriate work experience assignments. The Jobs Recovery Program established under this act shall provide:

1. Appropriate standards for health, safety and other conditions applicable to the performance of work;

2. That the program does not result in displacement of persons currently employed, or the filling of established unfilled position vacancies;

3. Reasonable conditions of work, taking into account the geographic region, the residence of the participants and the proficiency of the participants;

4. That participants ~~will~~ shall not be required, without their consent, to travel an unreasonable distance from their homes or remain away from their homes overnight; and

5. Appropriate workers' compensation protection to each participant performing work under this program.

E. The Jobs Recovery Program ~~may~~ is authorized to include any public project which is contracted by a private sector contractor, subject to the following requirements:

1. A contractor who commits to utilize on a particular project a labor force of which at least one-half is comprised of participants of this program shall be preferred in the awarding of public contracts when his bid and the bid of a nonparticipating contractor are equal in all respects and are the low bids. To the extent permitted by law public funds from this program ~~will~~ shall

compensate the contractor for at least one-half of the labor costs for participants in the Jobs Recovery Program for a period not exceeding six (6) months for any project;

2. Contractors participating in this program shall meet the requirements as stipulated in subsection D of this section; and

3. Contractors participating in this program shall give priority consideration to qualified participants of this program when established position vacancies occur.

F. Eligible participants for the Jobs Recovery Program shall be those unemployed persons who have exhausted all state and federal unemployment benefits, as certified by the Oklahoma Employment Security Commission, and/or those economically disadvantaged.

G. Notwithstanding any other provision of law, participation in the Jobs Recovery Program under this act shall be voluntary only, and in no event shall any person be subject to legal sanctions for nonparticipation.

SECTION 2. This act shall become effective September 1, 1994.

44-2-7837

MCD