

ENGROSSED SENATE
BILL NO. 558

By: Dickerson of the Senate

and

Paulk and Dunegan of the
House

[state government - clarifying statutory reference -
effective
date]

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 840.16d, as
renumbered by Section 54, Chapter 242, O.S.L. 1994 (74 O.S. Supp.
1994, Section 840-2.15) is amended to read as follows:

Section 840-2.15 A. Nonexempt employees as defined by the Fair
Labor Standards Act, 29 U.S.C. Section 201~~7~~ et seq., working in an
institutional setting shall receive overtime pay at the rate of one
and one-half (1 1/2) times their regular hourly rate for each
overtime hour worked. Compensatory time at the rate of one and one-
half (1 1/2) hours for each hour worked in lieu of overtime pay may
be given to nonexempt employees under certain conditions as provided
for and in compliance with the Fair Labor Standards Act, 29 U.S.C.,
Section 201~~7~~ et seq.

B. Any employee receiving compensatory time under the
provisions of subsection A of this section shall not be required to
take compensatory time off unless the employee requests said leave.

C. An employee receiving compensatory time under the provisions
of subsection A of this section shall be permitted to use accrued
compensatory time within one-hundred-eighty (180) days following the

pay period in which it was accrued, provided the taking of compensatory time does not unduly impact agency operations or the health, safety or welfare of the public, or endanger public property. Agencies shall not be allowed to extend this one-hundred-eighty-day time period. The balance of any unused compensatory time received but not taken during this time period shall be paid to the employee at the employee's current regular hourly rate.

D. As used in ~~this act~~ the Oklahoma Personnel Act, Section 840-1.1 et seq. of this title, "Institutional setting" shall mean any agency or part of any agency where twenty-four-hour care, monitoring or supervision is required for patients, clients or inmates to protect public health, safety or property.

SECTION 2. This act shall become effective November 1, 1995.

Passed the Senate the 27th day of February, 1995.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1995.

Speaker of the House of Representatives