

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1509

By: Toure

AS INTRODUCED

An Act relating to labor; enacting the Employee Fairness Act; requiring just cause be provided for reason of termination of employee-at-will; defining term; requiring certain notice be posted; providing penalties; providing ballot title; and directing filing.

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 199.5a of Title 40, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Employee Fairness Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 199.5b of Title 40, unless there is created a duplication in numbering, reads as follows:

A. An employer shall not terminate the employment of any employee-at-will who has been employed by the employer for a minimum of thirty (30) days unless the employer has just cause to terminate such employment.

B. For purposes of this section, "employee-at-will" means an individual who works for an employer for hire for an average of at least twenty (20) hours a week and requires just cause to be terminated.

C. The provisions of subsection A of this section shall not apply to:

1. An employee who is covered pursuant to a valid collective bargaining agreement between an employer and a labor organization; or

2. An employee who is covered pursuant to an express written contract of employment having a specified duration.

D. A notice of "just cause" shall be posted at each place of employment.

E. Any person injured by a violation of subsection A of this section may bring a civil action against the employer who is in violation of such subsection. The court may award to the employee actual damages, reinstatement, back pay, court costs and attorney fees. No exemplary damages may be awarded for a violation of subsection A of this section.

SECTION 3. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed statute:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would stop an employer from terminating certain workers without just cause. It defines employee-at-will. It requires that notice be posted. It provides for some exceptions. It allows for civil damages. It does not allow for exemplary damages.

SHALL THIS ACT BE APPROVED BY THE PEOPLE?

YES, FOR THE ACT

NO, AGAINST THE ACT

SECTION 4. The Chief Clerk of the House of Representatives, immediately after the passage of this act, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 3 hereof, with the Secretary of State and one copy with the Attorney General.

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