

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2972

By: Toure

AS INTRODUCED

An Act relating to labor; requiring just cause be provided for reason of termination of employee-at-will; defining terms; requiring certain notice be posted; providing penalties; 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 199.5 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, these terms shall have the following meanings:

1. "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; and

2. "Just cause" shall mean the employer terminating the employment of the employee for economic reasons. If an employer terminates the employment for economic reasons, the employer shall issue the employee a two-week notice prior to such termination.

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 2. This act shall become effective November 1, 2006.

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