

1 ENGROSSED SENATE
2 BILL NO. 527

By: Ballenger and Garrison of
the Senate

3 and

4 Proctor of the House

5
6
7 [labor - semimonthly or monthly payment of wages on
8 regular paydays - modifying certain notice or
9 notices -

10 effective date]

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 40 O.S. 2001, Section 165.2, as
14 last amended by Section 2, Chapter 277, O.S.L. 2006 (40 O.S. Supp.
15 2008, Section 165.2), is amended to read as follows:

16 Section 165.2 Every employer in this state shall pay all wages
17 due the employees, other than exempt employees and employees of
18 nonprivate foundations qualified pursuant to 26 U.S.C. 509(a)(1) and
19 26 U.S.C. 170(b)(1)(A)(vi), at least twice each calendar month on
20 regular paydays designated in advance by the employer. State,
21 county and municipal employees, exempt employees, and employees of
22 nonprivate foundations qualified pursuant to 26 U.S.C. 509(a)(1) and
23 26 U.S.C. 170(b)(1)(A)(vi) shall be paid a minimum of once each
24 calendar month. The amount due such employees shall be paid in

1 lawful money of the United States, including payment by electronic
2 means, and the employee shall not be deemed to have waived any right
3 or rights mentioned in this section because of any contract to the
4 contrary. With each payment of wages earned by such employee, the
5 employer shall issue to such employee a brief itemized statement of
6 any and all deductions therefrom. An interval of not more than
7 eleven (11) days may elapse between the end of the pay period worked
8 and the regular payday designated by the employer. The employer
9 shall be allowed three (3) days after such payday in which to comply
10 with this section.

11 No such employer shall issue, in payment of or as evidence of
12 indebtedness due an employee any check, cashier's check, draft, time
13 check, store order, scrip, or other acknowledgment of indebtedness
14 unless the same is payable or redeemable upon demand without
15 discount and for face value in lawful money of the United States.
16 If an employer pays an employee with a check which is subsequently
17 returned to the employee or an agent thereof by reason of the
18 refusal of the bank upon which such check was drawn to honor the
19 same due to insufficient funds or a stop payment notice, the
20 employer shall reimburse the employee for any fees or costs incurred
21 by the employee due to the refusal to honor the check within
22 fourteen (14) days of the employer's notice of the bank's refusal to
23 honor the check.

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1 SECTION 2. AMENDATORY 40 O.S. 2001, Section 197.6, is
2 amended to read as follows:

3 Section 197.6 On and after August 1, 1965, every employer,
4 subject to this act, shall post a notice or notices of the pertinent
5 provisions of this act in such form as may be prescribed and
6 furnished by the Commissioner of Labor. ~~Said~~ The notice shall be
7 not less than eight and one half (8 1/2) inches by eleven (11)
8 ~~inches by seventeen (17) inches~~ in size and shall be displayed in
9 such a manner so as to be accessible to all employees in each
10 establishment under the control of the employer. The Commissioner,
11 or his or her duly authorized representative, may, for the purpose
12 of determining whether such notice has been properly posted, enter,
13 during business hours, upon the premises of any employer subject to
14 this act.

15 SECTION 3. This act shall become effective November 1, 2009.
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1 Passed the Senate the 24th day of February, 2009.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2009.

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8 _____
9 Presiding Officer of the House
10 of Representatives