

THE HOUSE OF REPRESENTATIVES
Thursday, February 26, 2009

House Bill No. 1608

HOUSE BILL NO. 1608 - By: SULLIVAN of the House and CRAIN of the Senate.

An Act relating to public buildings and public works; amending 61 O.S. 2001, Section 3, which relates to working day for public employees; allowing certain persons to work excess hours; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 61 O.S. 2001, Section 3, is amended to read as
2 follows:
3 Section 3. A. Except as provided in subsection B of this section, eight (8) hours
4 shall constitute a day's work for all public employees not otherwise exempt from or
5 covered by special provisions under the federal Fair Labor Standards Act, 29 U.S.C.A.,
6 Section 201 et seq. and regulations thereto. In cases where it may be necessary to work
7 more than eight (8) hours per calendar day which results in more than forty (40) hours
8 worked per week, all public employees not otherwise exempt from or otherwise covered
9 by special provisions under the federal Fair Labor Standards Act and regulations related
10 thereto or other persons so employed shall be compensated in accordance with the federal
11 Fair Labor Standards Act and regulations related thereto.
12 B. Public employees and public safety professionals may be allowed to work in
13 excess of eight (8) hours per day when such hours are assigned as part of an alternative

1 work schedule. In any case where such work schedule results in an employee working in
2 excess of forty (40) hours per workweek who is not exempt from or covered by special
3 provisions under the overtime provisions of the Fair Labor Standards Act, the employee
4 shall be compensated in accordance with the Fair Labor Standards Act and regulations
5 related thereto. For purposes of this section, “public safety professionals” means sheriffs,
6 deputy sheriffs, correctional officers, and persons in the emergency medical service
7 profession.

8 SECTION 2. This act shall become effective July 1, 2009.

9 SECTION 3. It being immediately necessary for the preservation of the public
10 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
11 this act shall take effect and be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 02-
13 25-09 - DO PASS, As Coauthored.