HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

ENGROSSED SENATE
BILL NO. 2131

By: Jolley, Justice and Marlatt of the Senate

and

Martin (Scott), Sears, Condit and Matthews of the House

An Act relating to state employee compensation; providing for salary increases for certain state employees; defining terms; providing for employees on leave without pay on certain date; providing for certain reinstated or reemployed employees; providing limitations; providing for classified employees to receive increase if pay band maximum exceeded; prohibiting expenditure of funds appropriated for purpose of implementing pay increase for certain purpose; providing for construction of certain provisions; providing for noncodification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. Effective July 1, 2014, full-time employees specified in subsection B of this section, including temporary and other limited-term employees of the state, who were employed by the state on the

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last working day of June 2014, shall be awarded an annualized salary increase equal to six and one-quarter percent (6.25%) of the officer's or employee's annualized salary as of June 30, 2014. Effective July 1, 2014, full-time employees specified in subsection C of this section, including temporary and other limited-term employees of the state, who were employed by the state on the last working day of June 2014, shall be awarded an annualized salary increase equal to eight percent (8%) of the officer's or employee's annualized salary as of June 30, 2014.

B. The provisions of this section shall apply to the following:

1. Employees of the Alcoholic Beverage Laws Enforcement Commission with the job titles of:

a. Law Enforcement ABLE Commission Agent, and

b. Law Enforcement Programs Administrator;

2. Employees of the Office of the Attorney General with the job titles of:

a. Chief Investigator,

b. Deputy Chief Investigator,

c. Investigator I, II and III, and

d. Investigative Assistant;

3. Employees of the Oklahoma State Bureau of Investigation with the job titles of:

a. Law Enforcement Communication Center Director,

b. Criminalist,

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c. Crime Reporting Field Representative,

d. Law Enforcement Communications Specialist,

e. Physical Evidence Technician,

f. Criminal Intelligence Analyst,

g. Fingerprint Specialist, and

h. Law Enforcement Special Agent;

4. Employees of the Oklahoma Corporation Commission with the job title of Motor Vehicle Enforcement Officer;

5. Employees of the State Department of Corrections with the job titles of:

a. Advanced Practice Nurse,

b. Correctional Training Officer,

c. Law Enforcement Communications Specialist,

d. Social Services Specialist,

e. Unit Manager,

f. Correctional Case Manager,

g. Correctional Activities Officer,

h. Correctional Teacher,

i. Correctional Unit Assistant,

j. Probation and Parole Officer,

k. Patient Care Assistant,

l. Licensed Practical Nurse, and

m. Registered Nurse;

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6. Employees of the Council on Law Enforcement Education and Training with the job title of Legal Investigator II;

7. Employees of the Department of Mental Health and Substance Abuse Services with the job titles of:

a. Nurse Manager I, II and III,

b. Psychiatric Pediatric Nurse,

c. Advanced Nurse Practitioner,

d. Registered Nurse I, II and III,

e. Licensed Practical Nurse,

f. Licensed Practical Nurse II and III,

g. Clinical Case Manager Coordinator,

h. Law Enforcement Communications Specialist,

i. Social Services Specialist,

j. Patient Care Assistant, and

k. Registered Nurse;

8. Employees of the Office of the State Fire Marshal with the job title of State Fire Marshal Law Enforcement Agent;

9. Employees of the Oklahoma Health Care Authority with the job titles of:

a. Nurse Case Manager,

b. Clinical Nurse Program Manager,

c. Registered Nurse III,

d. Medical Analyst V,

e. Case Manager I and II,

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f. Case Management Supervisor,

g. Nurse Supervisor, Non-Technical Medical Care,

h. Manager,

i. Nurse Consultant, Medical Unit,

j. Nurse Consultant II, and

k. Case Manager;

10. Employees of the State Department of Health with the job titles of:

a. Communicable Disease Nurse/BTG,

b. Health Facility Health Care Nurse Specialist,

c. Social Services Specialist,

d. Patient Care Assistant,

e. Licensed Practical Nurse,

f. Registered Nurse, and

g. Advanced Practice Nurse;

11. Employees of the Oklahoma Horse Racing Commission with the job titles of:

a. Agent I, and

b. Director of Law Enforcement;

12. Employees of the Department of Human Services with the job titles of:

a. Nursing Programs Assistant Administrator,

b. Registered Nurse III,

c. Adult Protective Services II,

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d. Nursing Service Supervisor,

e. Customer Assistance Representative,

f. Department of Human Services Investigative Agent,

g. Child Welfare Assistant I and II,

h. Social Services Specialist,

i. Case Manager,

j. Child Care Licensing Specialist,

k. Adult Protective Services Specialist,

l. Child Support Specialist,

m. Licensed Practical Nurse,

n. Registered Nurse,

o. Health Care Management Nurse,

p. Direct Care Specialist, and

q. Volunteer Services Specialist;

13. Employees of the J.D. McCarty Center for Children with Developmental Disabilities with the job titles of:

a. Social Services Specialist,

b. Licensed Practical Nurse,

c. Registered Nurse,

d. Direct Care Specialist, and

e. Volunteer Services Specialist;

14. Employees of the Oklahoma Office of Management and Enterprise Services with the job title of Health Care Management Nurse;

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15. Employees of the Oklahoma Military Department with the job titles of:

a. Firefighter,

b. Case Manager,

c. Police Officer, and

d. Airfield Firefighter;

16. Employees of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control with the job titles of:

a. Narcotic Agent V,

b. Law Enforcement Communications Specialist,

c. Physical Evidence Technician,

d. Criminal Intelligence Analyst, and

e. Law Enforcement Narcotics Agent;

17. Employees of the Office of Juvenile Affairs with the job titles of:

a. Licensed Practical Nurse,

b. Licensed Practical Nurse II,

c. Juvenile Security Officer,

d. Juvenile Justice Specialist,

e. Registered Nurse,

f. Registered Nurse II,

g. Volunteer Services Specialist, and

h. Youth Guidance Specialist;

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18. Employees of the Pardon and Parole Board with the job title of Pardon and Parole Investigator;

19. Employees of the Oklahoma Department of Public Safety with the job titles of:

a. Communications Officer (DPS);

b. Driver License Examiner,

c. Physical Evidence Technician,

d. Licensing Services Hearing Officer,

e. Law Enforcement Telecommunications Systems Specialist,

f. Law Enforcement Programs Administrator, and

g. Law Enforcement Capitol Patrol Officer;

20. Employees of the Oklahoma Department of Rehabilitation Services with the job titles of:

a. Registered Nurse II,

b. Licensed Practical Nurse II and III,

c. Nursing Service Supervisor,

d. Social Services Specialist, and

e. Direct Care Specialist;

21. Employees of the Oklahoma Tourism and Recreation Department with the job title of Park Ranger; and

22. Employees of the Oklahoma Department of Veterans Affairs with the job titles of:

a. Nurse Manager I,

b. Licensed Practical Nurse I, II and III,

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c. Registered Nurse I, II and III,

d. Social Services Specialist,

e. Patient Care Assistant,

f. Licensed Practical Nurse, and

g. Registered Nurse.

C. The provisions of this section shall apply to employees of the State Department of Corrections with the job titles of:

1. Correctional Security Officer I, II, III and IV;

2. Correctional Security Manager I and II; and

3. Chief of Security I, II and III.

D. As used in this section, "temporary and other limited-term employees" are those persons who:

1. Are not permanent employees;

2. Are not otherwise excluded by this section; and

3. Are compensated by an agency, board, commission, department or other employing entity for a limited duration and without any subjective expectation by either the employer or the employee that the employment will become permanent.

E. Employees eligible for the increase provided for in subsection A of this section who are on leave without pay on July 1, 2014, shall receive an annualized increase, effective upon their return to work, but shall not receive any increase for a period of time prior to their return to work.

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F. Employees who leave the state service before July 1, 2014, and who are reinstated or reemployed in the state service during July 2014, without a break in service, who are otherwise eligible for the pay increase provided for in this section, shall be granted such raise effective immediately upon such reinstatement or reemployment. As used in this subsection, "break in service" is defined as a period of time in excess of thirty (30) calendar days between two periods of state employment.

G. No salary increase pursuant to this section shall be made that exceeds a salary limitation provided in an agency's annual appropriation bill or that exceeds the recommendations of the 2013 State Employee Total Remuneration Study. Classified employees eligible for the salary increase provided for in this section shall receive such increase even if it causes the employee's salary to exceed the maximum for the employee's pay band.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

No funds appropriated for the purpose of implementing the pay increase provided in Section 1 of this act shall be expended by any employing public agency, board, commission or other public employing entity in order to increase compensation for persons employed by a private business entity that has entered into a contract with the public employing entity to provide personnel services or temporary services to the public employing entity in order for the public

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employing entity to perform duties imposed upon it by law or functions which the public employing entity is authorized to perform by law. The provisions of this section shall not be construed to prohibit increases in compensation to a vendor performing other types of services pursuant to a sole source contract or contract awarded pursuant to The Oklahoma Central Purchasing Act.

SECTION 3. This act shall become effective July 1, 2014.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

DIRECT TO CALENDAR.

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