

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1044

By: Walker of the House

3
4 and

Treat of the Senate

5
6
7 An Act relating to state employees; establishing a
8 state employee suggestion program; stating purpose;
9 providing for financial rewards; stating limitation
10 for certain payments; authorizing the Office of
11 Management and Enterprise Services to promulgate
12 rules; amending 74 O.S. 2011, Sections 4111, 4115A
13 and 4119, as amended by Section 1016, Chapter 304,
14 O.S.L. 2012 (74 O.S. Supp. 2014, Section 4119),
15 which relate to the Incentive Awards for State
16 Employees Act; clarifying language; transferring
17 certain duties relating to administration of the
18 Incentive Awards for State Employees program to the
19 Office of Management and Enterprise Services;
20 removing certain duties from the Committee for
21 Incentive Awards for State Employees; repealing 74
22 O.S. 2011, Sections 4112, as amended by Section
23 1015, Chapter 304, O.S.L. 2012, 4116, 4117, 4118
24 and 4120, as amended by Section 1017, Chapter 304,
O.S.L. 2012 (74 O.S. Supp. 2014, Sections 4112 and
4120), which relate to the Incentive Awards for
State Employees program; providing for
codification; providing an effective date; and
declaring an emergency.

20 AMENDMENT NO. 1. Page 1, substitute the following for the title,
21 enacting clause and the entire body of the bill:

22 An Act relating to state employees; establishing a
23 state employee suggestion program; stating purpose;
24 providing for financial rewards; stating limitation
for certain payments; authorizing the Office of
Management and Enterprise Services to promulgate
rules; amending 74 O.S. 2011, Sections 4111, 4115A

1 and 4119, as amended by Section 1016, Chapter 304,
2 O.S.L. 2012 (74 O.S. Supp. 2014, Section 4119), which
3 relate to the Incentive Awards for State Employees
4 Act; clarifying language; transferring certain duties
5 relating to administration of the Incentive Awards
6 for State Employees program to the Office of
7 Management and Enterprise Services; removing certain
8 duties from the Committee for Incentive Awards for
9 State Employees; repealing 74 O.S. 2011, Sections
10 4112, as amended by Section 1015, Chapter 304, O.S.L.
11 2012, 4113, 4116, 4117, 4118 and 4120, as amended by
12 Section 1017, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
13 2014, Sections 4112 and 4120), which relate to the
14 Incentive Awards for State Employees program;
15 providing for codification; providing an effective
16 date; and declaring an emergency.

emergency]

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1604 of Title 74, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Every state agency employing more than ten full-time-
22 equivalent employees may develop a State Employee Suggestion
23 Program. The purpose of the program shall be to promote efficiency
24 and effectiveness of state governmental operations by providing
25 economic incentives to employees who make suggestions which result
26 in direct cost savings.

27 B. A state agency which implements a suggestion made by an
28 employee which results in direct cost savings to the agency of Five
29 Thousand Dollars (\$5,000.00) or more may financially reward the
30 employee. The amount of any such award shall not exceed twenty

1 percent (20%) of the cost savings to the agency. No state employee
2 shall be eligible to receive more than one award payment in any
3 single fiscal year. Each agency shall be responsible for
4 implementing a State Employee Suggestion Program as it deems
5 appropriate in accordance with the provisions of this section.

6 C. Suggestions pertaining to the following areas shall not be
7 eligible for awards: grievances; classification and pay; matters
8 already recommended for study, review or summary; matters which are
9 the result of assigned or contracted audits, budget and fiscal
10 preparations studies, surveys, reviews or research; matters
11 requiring the enactment of legislation; and a suggester who applies
12 for patent rights to his or her suggestion is not eligible for an
13 award.

14 D. The Office of Management and Enterprise Services shall
15 promulgate rules and establish policies as necessary to implement
16 the State Employee Suggestion Program.

17 SECTION 2. AMENDATORY 74 O.S. 2011, Section 4111, is
18 amended to read as follows:

19 Section 4111. Sections ~~4~~ 4111 through ~~10~~ 4122 of this ~~act~~ title
20 shall be known and may be cited as the "Incentive Awards for State
21 Employees Act".

22 SECTION 3. 74 O.S. 2011, Section 4115A, is amended to read
23 as follows:
24

1 Section 4115A. Pursuant to rules ~~and regulations~~ promulgated by
2 the ~~Committee for Incentive Awards for State Employees~~ Office of
3 Management and Enterprise Services, state employees shall be
4 recognized for their length of service to the state. Recognition
5 shall consist of certificates and lapel pins. The longevity award
6 shall be made at five-year intervals during the month following the
7 anniversary date of the employee to recognize years of service as
8 defined in Section ~~805.2~~ 840-2.18 of ~~Title 74 of the Oklahoma~~
9 ~~Statutes~~ this title. The cost of the incentive award shall be
10 billed to the employing agency.

11 SECTION 4. AMENDATORY 74 O.S. 2011, Section 4119, as
12 amended by Section 1016, Chapter 304, O.S.L. 2012 (74 O.S. Supp.
13 2014, Section 4119), is amended to read as follows:

14 Section 4119. ~~At the conclusion of the eligible fiscal year,~~
15 ~~subject to the rules and regulations promulgated by the Committee,~~
16 ~~the Committee shall compare the unit dollar expenditures for that~~
17 ~~year of each agency, department, commission, office, or defined work~~
18 ~~unit or work teams against the base year data and, after making such~~
19 ~~adjustments as in the judgment of the Committee are required to~~
20 ~~eliminate distortions, shall determine the amount, if any, that the~~
21 ~~agency, department, commission, office, or defined work unit or work~~
22 ~~teams has reduced its unit dollar cost of operations or increased~~
23 ~~its level of services in the eligible fiscal year. Adjustments to~~
24 ~~eliminate distortions may include any legislative increases in~~

~~employee compensation and inflationary increases in the cost of services, materials, or supplies. If the Committee shall determine an agency, department, commission, or office qualifies for award, it may award, after consultation with the Office of Management and Enterprise Services, to the employees of that agency, department, commission, office, defined work unit or work teams a sum not in excess of twenty-five percent (25%) of the amount determined to be the total unit dollar savings to the state for the level of services rendered. Incentive pay awards provided pursuant to the provisions of the Incentive Awards for State Employees Act shall be exempt from retirement contributions and shall not be included for the purpose of computing a retirement allowance pursuant to any public retirement system of this state. The amount awarded shall be divided and distributed in equal shares to the employees of the agency, department, commission, office, defined work unit or work teams except that employees who have worked for the agency, department, commission, office, defined work unit or work teams less than the full twelve (12) months of the fiscal year shall receive only a pro rata share based on the fraction of the year said employees have worked for that agency, department, commission, office, defined work unit or work teams. Employees voluntarily leaving the employment of state government or employees dismissed for cause shall forfeit their share. Funds for this incentive pay shall be drawn from the operating expenses of the agency,~~

1 department, commission, or office for the eligible fiscal year. ~~No~~
2 ~~nominations for a unit incentive compensation award shall be made~~
3 ~~until the nominating agency, department, commission, or office~~
4 ~~assures that funds for said award are available. Funds for the~~
5 ~~payment of unit incentive compensation awards shall be considered~~
6 ~~encumbered to the extent said awards are approved by the Committee.~~

7 SECTION 5. REPEALER 74 O.S. 2011, Sections 4112, as
8 amended by Section 1015, Chapter 304, O.S.L. 2012, 4113, 4116, 4117,
9 4118 and 4120, as amended by Section 1017, Chapter 304, O.S.L. 2012
10 (74 O.S. Supp. 2014, Sections 4112 and 4120), are hereby repealed.

11 SECTION 6. This act shall become effective July 1, 2015.

12 SECTION 7. It being immediately necessary for the preservation
13 of the public peace, health and safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

