

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2929 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Jason Dunnington _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2929

By: Dunnington

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to labor; amending 40 O.S. 2011,
10 Sections 198.1 and 198.2, which relate to
11 discriminatory wages; prohibiting certain actions by
12 employer; authorizing Commissioner of Labor to issue
13 civil fines and penalties; providing for deposit of
14 fines; and providing an effective date.

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

16 SECTION 1. AMENDATORY 40 O.S. 2011, Section 198.1, is
17 amended to read as follows:

18 Section 198.1 A. It shall be unlawful for any employer within
19 the State of Oklahoma to willfully pay wages to women employees at a
20 rate less than ~~the rate at which he pays any~~ an employee of the
21 opposite sex for comparable work on jobs which have comparable
22 requirements relating to skill, effort and responsibility, except
23 where such payment is made pursuant to a seniority system; a merit
24 system; a system which measures earnings by quantity or quality of
production; or a differential based on any factor other than sex.

1 B. It shall be unlawful for an employer to discharge or in any
2 other manner discriminate against an employee because the employee
3 has inquired about, discussed or disclosed the wages of the employee
4 or another employee.

5 SECTION 2. AMENDATORY 40 O.S. 2011, Section 198.2, is
6 amended to read as follows:

7 Section 198.2 A. It shall be the duty of the Commissioner of
8 Labor to enforce the provisions of this act. Whenever the
9 Commissioner is informed of any violations thereof, it shall be his
10 or her duty to investigate same and, in his discretion, said
11 Commissioner is hereby authorized to institute proceedings for the
12 enforcement of penalties herein provided before any court of
13 competent jurisdiction and civil fines. Any employer who violates
14 the provisions of this act shall be deemed guilty of a misdemeanor
15 and shall upon conviction thereof, be punished by The Commissioner
16 is authorized to issue a civil fine of not less than Twenty-five
17 Dollars (\$25.00) Fifty Dollars (\$50.00) nor more than One Hundred
18 Dollars (\$100.00) Two Hundred Dollars (\$200.00) for each separate
19 violation per pay period. In addition, the employer shall pay any
20 back pay found to be owed to the employee.

21 B. Upon final determination of a violation of this act, the
22 Commissioner may, to recover the cost of investigation and
23 proceedings, keep an amount equal to twenty-five percent (25%) of
24 the amount of the fines issued to be deposited in the Department of

1 Labor Revolving Fund. All additional monies recovered pursuant to
2 the provisions of this section shall be placed in the General
3 Revenue Fund of this state.

4 SECTION 3. This act shall become effective November 1, 2016.

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6 55-2-9123 LRB 02/16/16
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