

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2929

By: Dunnington

COMMITTEE SUBSTITUTE

[ labor - discriminatory wages - Commissioner of  
Labor - effective date ]

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

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

Section 198.1 A. It shall be unlawful for any employer within  
the State of Oklahoma to willfully pay wages to women employees at a  
rate less than ~~the rate at which he pays any~~ an employee of the  
opposite sex for comparable work on jobs which have comparable  
requirements relating to skill, effort and responsibility, except  
where such payment is made pursuant to a seniority system; a merit  
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 with someone employed by the company.

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 the  
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 back pay owed to the employee to be deposited in the Department

1 of Labor Revolving Fund. All civil fines recovered pursuant to the  
2 provisions of this section shall be deposited in the General Revenue  
3 Fund of this state.

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

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