

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 3085

By: Cockroft

COMMITTEE SUBSTITUTE

An Act relating to counties and county officers;  
authorizing counties to adopt a performance-based  
adjustment program for county employees; providing  
written performance-based adjustment plan content  
requirements; limiting performance-based adjustment  
to any county employee for every twelve-month cycle;  
requiring certain evaluation be less than one (1)  
year old; providing for codification; and providing  
an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 169 of Title 19, unless there is  
created a duplication in numbering, reads as follows:

A. Counties may adopt a performance-based adjustment program  
for county employees pursuant to this section.

B. In order to adopt a performance-based adjustment program, a  
county shall adopt a written performance-based adjustment plan. The  
plan must:

1        1.    Indicate the manner in which the county intends to award  
2 performance-based adjustments, including a determination that  
3 performance-based adjustments will be awarded for overall ratings of  
4 "meets standards" or "exceeds standards". Performance-based  
5 adjustments shall not exceed five percent (5%) of a county  
6 employee's annual salary for "meets standards" or ten percent (10%)  
7 of a county employee's annual salary for "exceeds standards". The  
8 plan shall include:

- 9            a.    the amount or percentage that the county will award to  
10                qualifying employees, or  
11            b.    total dollar figure the county intends to set aside  
12                for performance-based adjustments to be divided among  
13                qualifying county employees;

14        2.    Identify and define the twelve-month evaluation cycle to be  
15 used within the county, such as a calendar year or fiscal year. The  
16 plan shall not be amended within the evaluation cycle but may be  
17 discontinued according to paragraph 5 of this subsection;

18        3.    Indicate whether the county will award performance-based  
19 adjustments as an increase to the county employee's salary, a lump-  
20 sum payment, or a combination thereof;

21        4.    Include a written confirmation that the county can fund the  
22 performance-based adjustment program for the current and subsequent  
23 fiscal year without the need for additional funding; and  
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1        5. Include a statement that the county may discontinue  
2 performance-based adjustments at any time should it be necessary to  
3 prevent a budget shortfall. The county shall notify employees of  
4 the discontinuation of the plan and the reason therefor.

5        C. A county may grant only one performance-based adjustment to  
6 any county employee for any twelve-month evaluation cycle. A county  
7 shall not award a performance-based adjustment to any employee based  
8 upon a performance evaluation which is more than one (1) year old.

9        SECTION 2. This act shall become effective November 1, 2018.  
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