

1 ENGROSSED HOUSE
2 BILL NO. 3085

By: Cockroft of the House

3 and

4 Standridge of the Senate

5
6 An Act relating to counties and county officers;
7 authorizing counties to adopt a performance-based
8 adjustment program for county employees; providing
9 written performance-based adjustment plan content
10 requirements; limiting performance-based adjustment
11 to any county employee for every twelve-month cycle;
12 requiring certain evaluation be less than one year
13 old; providing for codification; and providing an
14 effective date.

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

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

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

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

24 1. Indicate the manner in which the county intends to award
performance-based adjustments, including a determination that
performance-based adjustments will be awarded for overall ratings of

1 "meets standards" or "exceeds standards". Performance-based
2 adjustments shall not exceed five percent (5%) of a county
3 employee's annual salary for "meets standards" or ten percent (10%)
4 of a county employee's annual salary for "exceeds standards". The
5 plan shall include:

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

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

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

18 4. Include a written confirmation that the county can fund the
19 performance-based adjustment program for the current and subsequent
20 fiscal year without the need for additional funding; and

21 5. Include a statement that the county may discontinue
22 performance-based adjustments at any time should it be necessary to
23 prevent a budget shortfall. The county shall notify employees of
24 the discontinuation of the plan and the reason therefor.

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

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

Passed the House of Representatives the 12th day of March, 2018.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2018.

Presiding Officer of the Senate