

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 3085

By: Cockroft

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5
6 AS INTRODUCED

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

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

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

20 A. Counties may adopt a performance-based adjustment program
21 for county officers, deputies or county employees pursuant to this
22 section.

23 B. In order to adopt a performance-based adjustment program, a
24 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 officer,
6 deputy or county employee's annual salary for "meets standards" or
7 ten percent (10%) of a county officer, deputy or county employee's
8 annual salary for "exceeds standards." The 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 officers, deputies or county
14 employees;

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

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

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

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 officer, deputy or county employee for any twelve-month
7 evaluation cycle. A county shall not award a performance-based
8 adjustment to any employee based upon a performance evaluation which
9 is more than one (1) year old.

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

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