

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO.624

By: Pugh

AS INTRODUCED

An Act relating to Department of Corrections employees; amending 57 O.S. 2011, Section 528, which relates to duties and compensation of Department of Corrections employees; providing for minimum salary for certain employees; providing definitions; providing for employees on leave without pay; prohibiting certain employment modifications in order to lower salary increases; prohibiting expenditure of certain funds to compensate certain persons; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 57 O.S. 2011, Section 528, is amended to read as follows:

Section 528. A. The Director of the Department of Corrections shall appoint and fix the duties and compensation of employees necessary to carry out the duties imposed upon the Department of Corrections by law. The State Board of Corrections shall appoint the Director of the Department of Corrections with the advice and consent of the Senate. The salary of the Director shall be set by the Legislature in the annual appropriation bill.

1 B. Effective July 1, 2019, and for each fiscal year thereafter,
2 the Department of Corrections shall pay employees including
3 temporary and other limited-term employees of the Department, a wage
4 not less than Fifteen Dollars (\$15.00) an hour. Department of
5 Corrections administrative staff shall be exempt from this minimum.

6 C. As used in this section, "temporary and other limited-term
7 employees" are those employees who:

- 8 1. Are not permanent employees;
9 2. Are not otherwise excluded by this section; and
10 3. Are compensated by the Department for a limited duration and
11 without any subjective expectation by either the employer or the
12 employee that the employment will become permanent.

13 D. As used in this section, "administrative staff" are those
14 employees with duties associated with:

- 15 1. Immediate staff of the Director of the Department of
16 Corrections;
17 2. Staff management or relations; or
18 3. Devotion of a majority of time to administrative, financial
19 or clerical functions of the Department.

20 E. Employees eligible for a salary increase resulting from the
21 minimum established in subsection B of this section who are on leave
22 without pay on July 1, 2019, shall receive an increase pursuant to
23 subsection B of this section, effective upon their return to work,
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1 but shall not receive the increase for the period prior to their
2 return to work.

3 F. Notwithstanding any other section of law, employees eligible
4 for a salary increase resulting from the minimum established in
5 subsection B of this section shall receive such increase even if it
6 causes the employee's salary to exceed the maximum for the
7 employee's pay band.

8 G. Employee work hours, duties and compensation fixed pursuant
9 to subsection A of this section shall not be modified in order to
10 lower the salary increases resulting from the salary minimum
11 established in subsection B of this section.

12 H. No funds appropriated for the purpose of implementing the
13 salary minimum established in subsection B of this section shall be
14 expended by the Department to increase compensation for persons
15 employed by a private business entity that has entered into a
16 contract with the Department to provide personnel services or
17 temporary services to the public employing entity in order for the
18 public employing entity to perform duties imposed upon it by law or
19 functions which the public employing entity is authorized to perform
20 by law.

21 SECTION 2. This act shall become effective July 1, 2019.

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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