

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 918

By: Rosino

AS INTRODUCED

An Act relating to state government; establishing volunteer administrative leave for state employees; defining term; establishing eligibility requirements; requiring agencies to provide formal request process; establishing that certain organizations shall be ineligible; establishing process by which leave may be taken; establishing accountability provisions; establishing disciplinary procedures; establishing criteria for denial of requests for leave; stating that the Governor may discontinue program; 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 840-8.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

1. As used in this section, "volunteer administrative leave" shall mean hours of labor state employees may donate toward a 501(c)(3) charitable organization or public school.

2. Full-time and part-time exempt or non-exempt state employees shall be able to donate up to eight (8) hours of labor, per calendar year, toward a 501(c)(3) charitable organization or public school

1 located within the state of Oklahoma. The provisions of this
2 subsection shall not apply to seasonal and temporary employees.

3 3. Requests for volunteer administrative leave shall be subject
4 to the approval of an employee's department manager or agency
5 director. All state agencies shall make available to state
6 employees a form by which requests for volunteer administrative
7 leave may be submitted. All state agencies shall require employees
8 to submit formal requests for volunteer administrative leave at
9 least one (1) week prior to the requested leave date. All forms for
10 request of volunteer administrative leave shall include a space for
11 the signature of a representative of the charitable organization
12 attesting to the time volunteered, and employees shall be required
13 to return the signed form after volunteering.

14 4. Volunteer administrative leave may not be used for
15 organizations that discriminate on the basis of race, color,
16 national origin, religion, gender, sexual orientation, ancestry,
17 religion, age, disability or any other federal, state or local
18 protected characteristic.

19 5. Volunteer administrative leave may be taken in two (2) hour
20 increments up to eight (8) hours in a day. Volunteer administrative
21 leave shall not be taken for volunteer time completed outside
22 normally scheduled work hours. Volunteer administrative leave shall
23 be awarded on the first day of the first pay period of each calendar
24 year. New employees hired during the calendar year will be awarded

1 a pro-rated amount of volunteer administrative leave equal to two
2 (2) hours per remaining full month of the calendar year.

3 6. Volunteer administrative leave shall expire on the final day
4 of the final pay period of the calendar year. Unused volunteer
5 administrative leave will not carry over year to year and will not
6 be paid out upon separation of employment, voluntary or involuntary.

7 7. Volunteer administrative leave shall not be used to
8 supplement any other type of leave including paid time off.
9 Volunteer administrative leave shall not be transferable between
10 employees. Volunteer administrative leave shall not be considered
11 as time worked when determining overtime eligibility. Employees
12 shall record the time as volunteer administrative leave on their
13 timesheets and/or electronic timekeeper.

14 8. Employees wishing to volunteer to assist with programs which
15 are operated by the State must seek approval from the human
16 resources director to ensure Fair Labor Standards Act guidelines are
17 not violated.

18 9. Employees may not provide or use State of Oklahoma tools,
19 equipment, supplies or resources while performing community service
20 unless previously approved by their Manager. In some cases, the
21 State may already provide assistance to these organizations if the
22 organization made a separate request for support that was approved
23 by the State of Oklahoma.

1 10. Employees may not accept any compensation, remuneration,
2 money, gifts, privileges or other valuable consideration. No state
3 employee may personally profit or advantage from volunteer
4 activities performed while on volunteer administrative leave.
5 Participation in volunteer activities must not influence the
6 employees in the performance of his or her official duties.

7 11. Employees found falsifying performance of volunteer
8 activities or abuse of the volunteer administrative leave program in
9 any way will be subject to revocation of eligibility as well as
10 disciplinary procedures up to and including separation of
11 employment.

12 12. Requests for volunteer administrative leave may be denied
13 for reasons including, but not limited to, staffing shortages, or
14 organizations deemed ineligible according to the criteria
15 established in paragraph 4 of this section and shall not be the
16 basis for a grievance filed by the employee.

17 13. The Governor shall reserve the right to amend or
18 discontinue this program at any time.

19 SECTION 2. This act shall become effective November 1, 2019.
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