

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 1943

By: Munson

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 Legislature 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 840-8.2 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 four (4) hours of labor, per calendar

1 year, toward a 501(c)(3) charitable organization or public school
2 located within this state. The provisions of this subsection shall
3 not apply to seasonal and temporary employees.

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

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

20 5. Volunteer administrative leave may be taken in two (2) hour
21 increments up to four (4) hours in a day. All time spent traveling
22 to and from a volunteering location shall be considered time spent
23 on volunteer administrative leave. Volunteer administrative leave
24 shall not be taken for volunteer time completed outside normally

1 scheduled work hours. Volunteer administrative leave shall be
2 awarded on the first day of the first pay period of each calendar
3 year. New employees hired during the calendar year will be awarded
4 a pro-rated amount of volunteer administrative leave equal to two
5 (2) hours per remaining full month of the calendar year.

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

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

17 8. Employees wishing to volunteer to assist with programs which
18 are operated by this state must seek approval from the human
19 resources director to ensure Fair Labor Standards Act guidelines are
20 not violated.

21 9. Employees may not provide or use State of Oklahoma tools,
22 equipment, supplies or resources while performing community service
23 unless previously approved by their Manager. In some cases, this
24 state may already provide assistance to these organizations if the

1 organization made a separate request for support that was approved
2 by this state.

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

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

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

19 13. The Legislature shall reserve the right to amend or
20 discontinue this program at any time.

21 SECTION 2. This act shall become effective November 1, 2021.

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23 58-1-6909 LRB 12/29/20
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