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February 27, 2023

AS AMENDED

SENATE BILL NO. 641

By: Garvin

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[ labor - wages - administrative proceedings -
penalties - effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 40 O.S. 2021, Section 198.1, is amended to read as follows:

Section 198.1. It shall be unlawful for any employer within the State of Oklahoma to willfully pay wages to women employees at a rate less than the rate at which ~~he~~ the employer pays any employee of the opposite sex for comparable work on jobs which have comparable requirements relating to skill, effort and responsibility, except where such payment is made pursuant to a seniority system~~+~~, a merit system~~+~~, a system which measures earnings by quantity or quality of production~~+~~, or a differential based on any factor other than sex. In any instance in which the Commissioner has received a complaint violating this section, the Commissioner of Labor may seek collection of unpaid or underpaid wages or benefits through administrative proceedings in the same manner as provided in Section 165.7 of this title.

SECTION 2. AMENDATORY 40 O.S. 2021, Section 198.2, is amended to read as follows:

Section 198.2. It shall be the duty of the Commissioner of Labor to enforce the provisions of this act. Whenever the Commissioner is informed of any violations thereof, it shall be ~~his~~ the Commissioner's duty to investigate same and, in ~~his~~ the Commissioner's discretion, ~~said the~~ Commissioner is hereby authorized to institute proceedings for the enforcement of penalties herein provided before any court of competent jurisdiction or administrative proceeding. Any employer who violates the provisions of this act shall be ~~deemed guilty of a misdemeanor and shall upon conviction thereof, be punished by~~ assessed a fine of not less than ~~Twenty-five Dollars (\$25.00)~~ Two Hundred Fifty Dollars (\$250.00) nor more than ~~One Hundred Dollars (\$100.00)~~ One Thousand Dollars (\$1,000.00) per employee violation. This fine shall be in addition to any other legal protections provided in Section 165.1 et seq. of this title.

SECTION 3. This act shall become effective November 1, 2023.

COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
February 27, 2023 - DO PASS AS AMENDED