

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1539

By: Stewart

6 AS INTRODUCED

7 An Act relating to workplace safety; defining terms;
8 requiring employers and representative employees to
9 take certain actions to address workplace bullying;
10 prohibiting certain actions by employers and
11 representative employees; providing certain remedies
12 for violations; authorizing award of certain fees and
13 costs; providing for codification; and providing an
14 effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified

17 in the Oklahoma Statutes as Section 436 of Title 40, unless there is
18 created a duplication in numbering, reads as follows:

19 A. As used in this act:

20 1. "Employee" means any person who renders services to an
21 employer, contractor, or any other entity and receives compensation
22 for those services, including full- and part-time paid employees,
23 temporary employees, contracted employees, and independent
24 contractors;

25 2. "Employer" means a person or entity of any size that obtains
26 services from a full- or part-time paid employee, temporary

1 employee, contracted employee, or independent contractor and hires
2 at least one employee for any compensation;

3 3. "Representative employee" means an employee in a leadership,
4 management, or legal position whose responsibility is to advise on,
5 oversee, or enforce organizational policies; and

6 4. "Workplace bullying" means unwelcome, degrading, and
7 dehumanizing conduct that is severe or pervasive enough to create a
8 work environment that a reasonable person would consider toxic,
9 hostile, or abusive. Workplace bullying may be perpetrated by one
10 or more persons. The term does not include petty slights or
11 annoyances. Factors to be considered in determining whether
12 workplace bullying exists include, but are not limited to, the
13 nature, frequency, and duration of the conduct and the context in
14 which the conduct occurs. Workplace bullying is found by a review
15 of the totality of the circumstances.

16 B. Employers and representative employees shall take reasonable
17 preventative and responsive measures to provide a safe work
18 environment free from workplace bullying. Such measures shall
19 include, but not be limited to:

20 1. Acknowledging and responding to complaints of bullying
21 within a reasonable time frame appropriate to the level of urgency;

22 2. Providing and executing a transparent, timely complaint
23 process that includes a legitimate, fair, fact-finding investigation
24 and the issuance of timely and accurate reports of findings;

25

1 3. Providing and executing a transparent disciplinary process
2 according to the severity of the offense within a reasonable time
3 frame, if applicable, including, but not limited to, remedial or
4 disciplinary action, including removal of supervisory duties, or
5 termination;

6 4. Maintaining accurate records of complaints, findings, and
7 disciplinary action taken;

8 5. Writing, distributing, posting, and otherwise providing a
9 written preventative policy against all forms of bullying, to
10 include an anti-retaliation policy and an identification and
11 description of all reporting methods, consistent with this section
12 and all other laws within ninety (90) days. Such policies shall be
13 distributed to employees on a regular basis; and

14 6. Training all employees on such preventative and reporting
15 policies.

16 C. It shall be unlawful for an employer or representative
17 employee to:

18 1. Mandate, offer, or use mediation or arbitration of a
19 workplace bullying complaint prior to the employee's retaining of
20 counsel;

21 2. Mandate, offer, or use a nondisclosure or non-disparagement
22 agreement related to a workplace bullying complaint; and

23 3. Engage in an adverse employment action. An adverse
24 employment action occurs when an employee opposes an unlawful

1 employment practice or exercises a right under this section and is
2 then the target of forced resignation, termination, demotion,
3 unfavorable reassignment, failure to promote, disciplinary action,
4 reduction in compensation, constructive discharge, or similar
5 action.

6 D. 1. A violation or violations of any part of this act can be
7 enforced by a private right of action brought within three (3) years
8 of the last violation against an individual employee or employer in
9 violation of this act. Remedies shall include, but not be limited
10 to:

- 11 a. compensatory damages to include economic and
12 noneconomic,
- 13 b. punitive damages when a violation is extreme or
14 egregious,
- 15 c. injunctive relief where the court may enjoin the
16 defendant from engaging in unlawful employment
17 practice and may order any other relief deemed
18 appropriate including, but not limited to,
19 reinstatement of work, removal of the bullying
20 employee from the complainant's work environment, or
21 removal of supervisory duties or termination of the
22 employee, and
- 23 d. restorative measures such as correction of
24 reputational damage including false statements made,

the disciplinary record, or performance evaluations of the complainant, or public notification of the case without disclosing the plaintiff's name if desired by the plaintiff.

2. The at-fault party shall pay the plaintiff's reasonable attorney fees and court costs. A prevailing employer shall not be awarded fees and costs.

SECTION 2. This act shall become effective November 1, 2026.

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