

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SUBCOMMITTEE RECOMMENDATION  
4 FOR

5 HOUSE BILL NO. 2929

6 By: Dunnington

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to labor; amending 40 O.S. 2011,  
9 Sections 198.1 and 198.2, which relate to  
10 discriminatory wages; prohibiting certain actions by  
11 employer; increasing penalties; and providing an  
12 effective date.

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

14 SECTION 1. AMENDATORY 40 O.S. 2011, Section 198.1, is  
15 amended to read as follows:

16 Section 198.1 A. It shall be unlawful for any employer within  
17 the State of Oklahoma to willfully pay wages to women employees at a  
18 rate less than ~~the rate at which he pays any~~ an employee of the  
19 opposite sex for comparable work on jobs which have comparable  
20 requirements relating to skill, effort and responsibility, except  
21 where such payment is made pursuant to a seniority system; a merit  
22 system; a system which measures earnings by quantity or quality of  
23 production; or a differential based on any factor other than sex.

1        B. It shall be unlawful for an employer to discharge or in any  
2 other manner discriminate against an employee because:

3        1. The employee has inquired about, discussed or disclosed the  
4 wages of the employee or another employee;

5        2. The employee has made a wage claim or discussed, inquired  
6 about or consulted an attorney or agency about a wage claim;

7        3. The employee has caused to be instituted any proceedings  
8 under or related to this act; or

9        4. The employee has testified or is about to testify in any  
10 such proceedings.

11        SECTION 2.        AMENDATORY        40 O.S. 2011, Section 198.2, is  
12 amended to read as follows:

13        Section 198.2 It shall be the duty of the Commissioner of Labor  
14 to enforce the provisions of this act. Whenever the Commissioner is  
15 informed of any violations thereof, it shall be his or her duty to  
16 investigate ~~same and, in his discretion,~~ said Commissioner is ~~hereby~~  
17 authorized to institute proceedings for the enforcement of penalties  
18 ~~herein~~ provided before any court of competent jurisdiction. Any  
19 employer who violates the provisions of this act shall be deemed  
20 guilty of a misdemeanor and shall, upon conviction ~~thereof~~, be  
21 punished by a fine of not less than ~~Twenty five Dollars (\$25.00)~~  
22 Fifty Dollars (\$50.00) nor more than ~~One Hundred Dollars (\$100.00)~~  
23 Two Hundred Dollars (\$200.00) for each separate violation per pay  
24 period.

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SECTION 3. This act shall become effective November 1, 2016.

55-2-8986            AMM            02/09/16