1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	2nd Session of the 55th Legislature (2016)
4	COMMITTEE SUBSTITUTE
5	FOR HOUSE BILL NO. 2929 By: Dunnington, Young, Griffith and Virgin of the House
6	and
7	Loveless of the Senate
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LO	COMMITTEE SUBSTITUTE
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L2	[ labor - discriminatory wages - Commissioner of
L3	Labor - effective date ]
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L 5	
L 6	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
L7	SECTION 1. AMENDATORY 40 O.S. 2011, Section 198.1, is
L8	amended to read as follows:
L 9	Section 198.1 A. It shall be unlawful for any employer within
20	the State of Oklahoma to willfully pay wages to women employees at a
21	rate less than <del>the rate at which he pays any</del> <u>an</u> employee of the
22	opposite sex for comparable work on jobs which have comparable
23	requirements relating to skill, effort and responsibility, except
24	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.

- B. It shall be unlawful for an employer to discharge or in any other manner discriminate against an employee because the employee has inquired about, discussed or disclosed the wages of the employee or another employee with someone employed by the company.
- 7 SECTION 2. AMENDATORY 40 O.S. 2011, Section 198.2, is 8 amended to read as follows:

Section 198.2 A. 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 or her duty to investigate same and, in his discretion, said the Commissioner is hereby authorized to institute proceedings for the enforcement of penalties herein provided before any court of competent jurisdiction and civil fines. Any employer who violates the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction thereof, be punished by The Commissioner is authorized to issue a civil fine of not less than Twenty-five Dollars (\$25.00) Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) Two Hundred Dollars (\$200.00) for each separate violation per pay period. In addition, the employer shall pay any back pay found to be owed to the employee.

B. Upon final determination of a violation of this act, the Commissioner may, to recover the cost of investigation and

1	proceedings, keep an amount equal to twenty-five percent (25%) of
2	the back pay owed to the employee to be deposited in the Department
3	of Labor Revolving Fund. All civil fines recovered pursuant to the
3	or Labor Revolving Fund. All Civil lines recovered pursuant to the
4	provisions of this section shall be deposited in the General Revenue
5	Fund of this state.
6	SECTION 3. This act shall become effective November 1, 2016.
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8	02/18/2016 - DO PASS, As Amended and Coauthored.
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